



BOARD OF DIRECTORS

Mark Lovelace, County of Humboldt, **Chair**
Shane Brinton, City of Arcata, **Vice Chair**
Sherman Schapiro, City of Blue Lake
Lance Madsen, City of Eureka
John Maxwell, City of Ferndale
Jack Thompson, City of Rio Dell

AGENDA

Thursday, November 8, 2012, 6:30 PM

Eureka City Council Chambers

531 K Street, Eureka, CA

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1. Call to Order and Roll Call

2. Approve the Agenda

3. Consent Calendar

All matters listed under the Consent Calendar are considered to be routine by the HWMA Board and will be enacted upon by one motion, unless a specific request for review is made by a Board Member or a member of the public. The Consent Calendar will not be read. There will be no separate discussion of these items. However, if discussion is required, that item will be removed from the Consent Calendar and considered separately.

- a. Approve Minutes from the September 26, 2012 HWMA Board of Directors Special Meeting.
- b. Approve Minutes from the October 11, 2012 HWMA Board of Directors Meeting.
- c. Receive September FY 12/13 Financials.
- d. Extend Recology Tolling Agreement, and Authorize Executive Director to Execute Agreement.
- e. Authorize Executive Director to Work with Lawrence & Associates to Accept Phase I Landfill Closure Project and Release Retention Funds upon Satisfactory Completion to Anderson Dragline.

4. Board Member Reports

5. Oral and Written Communications

This time is provided for people to address the Board or to submit written communications concerning matters not on this agenda. Board Members may respond to statements, but any request that requires Board action will be referred to staff for review. Reasonable time limits may be imposed on both the total amount of time allocated for this item, and on the time permitted to each individual speaker. Such time allotment or portion thereof shall not be transferred to other speakers.

6. Proclamation of Appreciation

7. Executive Director's Report

8. Adjourn



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MINUTES

Thursday, September 26, 2012, 2:30 PM
Eureka City Council Chambers
531 K Street, Eureka, CA

Present: Mark Lovelace, Shane Brinton, Sherman Schapiro, Lance Madsen (4:00),
John Maxwell, Jack Thompson
Legal Counsel: Nancy Diamond

1) Call to Order and Roll Call.

Chairman Lovelace called the meeting to order at 2:30 p.m. A quorum was present and acting.

2) Approve the Agenda.

Agenda approved with no changes.

3) Public Comment on Matters on the Agenda.

Chairman Lovelace Opened the Floor to Public Comment.

Mike Johnson, General Services Superintendent, City of Fortuna, attended the meeting at the request of the City of Fortuna's City Manager to introduce himself to the Board and stated that he would like to begin attending AB939 staff meetings.

Chairman Lovelace Closed the Floor to Public Comment.

4) Closed Session/Report Out:

a. Closed Session per Government Code section 54957: Executive Director Hiring.

Chairman Lovelace Adjourned the Meeting to Closed Session at 2:45.

Boardmember Madsen joined the Meeting at 4:00.

Report Out, Item 4)a:

Motion Madsen/Brinton Offer of Employment as Executive Director Made to and Accepted by Jill Duffy, Pending Development of an Employment Contract to be Brought to the Board for Review and Approval at its Next Regular Meeting on October 11, 2012 6 Ayes/0 Noes/0 Absent.

5) Adjourn.

Chairman Lovelace Adjourned the Meeting at 5:00 p.m.



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John Maxwell, City of Ferndale
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MINUTES

Thursday, October 11, 2012, 6:30 PM
Eureka City Council Chambers
531 K Street, Eureka, CA

Present: Mark Lovelace, Shane Brinton, Michele McCall-Wallace (alternate for Sherman Schapiro), Lance Madsen, John Maxwell, Jack Thompson
Staff: Patrick Owen, Tyler Egerer, Karen Sherman
Legal Counsel: Nancy Diamond

1) Call to Order and Roll Call

Chairman Lovelace called the meeting to order at 6:35 p.m. A quorum was present and acting.

2) Approve the Agenda

Motion Maxwell/Madsen to Approve the Agenda 6 Ayes/0 Noes or Abstentions/0 Absent.

Chairman Lovelace Opened the Floor to Public Comment. No one spoke.

Chairman Lovelace Closed the Floor to Public Comment.

3) Board Member Reports

Boardmember Thompson reported that the Rio Dell sewer plant construction is going well and remains on schedule. He further added that Measure J is on the ballot for the second time around.

Boardmember Brinton stated that the City of Arcata has inked a deal with the Humboldt Trails Council Stewards Program to address needs for trails in the Arcata area.

Boardmember Madsen provided an update regarding Upstate California. They have signed an MOA to address the feasibility of the East-West Railroad.

4) Oral and Written Communications

Chairman Lovelace Opened the Floor to Public Comment.

Maureen Hart, representative of Zero Waste Humboldt, reported on a positive experience between HWMA, the North County Fair, and Zero Waste Humboldt. The North County Fair approached Zero Waste Humboldt to assist in making their event waste-free. Zero Waste Humboldt assembled volunteers to staff disposal areas through the fair, and Juliette Bohn, Project Manager, trained those volunteers in proper food waste diversion. Five cubic yards of Foodwaste materials were collected.

Jane Woodward, of Zero Waste Humboldt, wanted to add that the vendors at the North Country Fair were asked to use recyclable materials. There was a lot of cooperation and close monitoring to ensure success.

Chairman Lovelace Closed the Floor to Public Comment.

5) Consent Calendar

Boardmember McCall-Wallace Pulled Item 5a).

Chairman Lovelace announced that Jill Duffy has been hired as the new Executive Director.

Motion Brinton/Thompson to Approve the Consent Calendar with Changes 6/0/0

Chairman Lovelace Opened the Floor to Public Comment. No one spoke.

Chairman Lovelace Closed the Floor to Public Comment.

a) Approve Minutes from the September 13, 2012 HWMA Board of Directors Meeting

Boardmember McCall-Wallace pulled the minutes because she was not present at the last meeting.

Motion Brinton/Thompson to approve the Minutes from the September 13, 2012 HWMA Board of Directors Meeting 5/1/0. Boardmember McCall-Wallace abstains.

Chairman Lovelace Opened the Floor to Public Comment. No comment made.

Chairman Lovelace Closed the Floor to Public Comment.

6) Select Appointees to Planning Advisory Committee (PAC)

Senior Program Analyst Sherman indicated that staff and R3, the Authority's strategic planning consultants, have come to a point in the strategic planning process where they are ready to discuss the PAC and select members for the committee. Terry Supahan, R3 meeting facilitator, plans to attend all four PAC meetings. The first scheduled meeting is Tuesday October 30th. This work group will be short-term in nature and not a part of the regular committee process.

Ms. Sherman specified that the meeting on Tuesday October 30th would be at 6 PM and that it is tentatively scheduled to meet at the Humboldt Bay Aquatic Center.

Chairman Lovelace reminded the Board that they are maintaining flexibility by not defining the number of members from each target group. Each Boardmember will be asked for their list of nominees.

Boardmember Thompson explained his desire to choose candidates that represent the relatively large area represented by Rio Dell and Ferndale. He choose Rick Angeloff of the Rio Dell Planning Commission, Billy Joe Long who is a thirty-five year resident of Rio Dell, Chuck Schager of Eel River Resource Recovery, and urged consideration of either Regan Candelario or Mike Johnson, respectively the City Manager and Head of Public Works in Fortuna.

Boardmember Brinton wanted to select people with environmental and industrial interests. His choices are Maureen Hart of the North Coast Recycling Market Development Zone and Zero Waste Humboldt, Tibora Gersyk-Bloom who is the director of SCRAP Humboldt, Tall Chief Comet of the HSU Sustainability Office and Carolyn Hawkins of the LEA.

Boardmember Maxwell used the same logical thinking as Boardmember Thompson. He chose Tall Chief Comet, Jane Woodward of Zero Waste Humboldt, Chuck Schager from Eel River Disposal and Audrey Miller, a resident of Ferndale.

Boardmember Mc-Call Wallace shared the nominees as chosen by Boardmember Schapiro. The choices were Doug Hooper of Blue Lake Garbage, Kit Mann, owner of Kokatat, John Gammon, a resident of Blue Lake, Roger Westin, a retired public works employee from San Leandro, and Michelle Fuller, the Environmental Director of the Blue Lake Rancheria.

Boardmember Madsen brought three names forward. Brian Sollom of Humboldt Sanitation, John McMurray, a Eureka resident with many years of County experience and

Shawn Bennett of Eureka City Schools, with many years of experience working with Recology of Humboldt.

Chairman Lovelace also chose Tall Chief Comet and Kit Mann, and included Chip Sharp, who has experience with mediation and facilitation as well as local business.

Chairman Lovelace Opened the Floor to Public Comment.

Jane Woodward, of Zero Waste Humboldt, indicated the letter received by the Board from Judd Ellinwood, which listed names of qualified and worthy candidates.

Brian Sollom, of Humboldt Sanitation, expressed his interest in participating in the PAC.

Chairman Lovelace Closed the Floor to Public Comment.

Boardmember Thompson wanted to request that the names of the nominees be placed into categories for better sorting.

Chairman Lovelace noted the names which had been nominated by multiple Boardmembers; Tall Chief Comet, Kit Mann and Chuck Schager. Each Boardmember listed the category which fit best for each of their candidates (listed in order of first nomination):

Nick Angeloff/Business, Ratepayer
Billy Joe Long/Ratepayer
Chuck Schager/Industry
Regan Candelario/Government Representative
Mike Johnson/Government Representative

Maureen Hart/Industry, Environmental, Economic Development
Tibora Gersyk-Bloom/Environmental, Economic Development
Tall Chief Comet/Government, Education, Environmental
Carolyn Hawkins/Government, Environmental

Jane Woodward/Public, Special Interest
Audrey Miller/Ratepayer

Doug Hooper/Hauler
John Gammon/Ratepayer
Kit Mann/ Business
Roger Westin/Ratepayer, Industry
Michelle Fuller/Environmental, Business, Government

Brian Sollom/Environmental, Industry
John McMurray/Ratepayer
Shawn Bennett/Education, Environmental

Chip Sharp/Ratepayer, Environmental, Business

The Board discussed a number of methods and recommendations for establishing a vote for the makeup of the PAC. The general consensus of the Board was to allow each member to nominate their own top two candidates; if, at the end of the original vote, there were duplicate nominations or extremely lopsided representation of one group or another, further discussion could take place. In addition, the Board agreed to direct staff to invite members of City of Fortuna staff to participate in Local Task Force as part of the Technical Advisory Committee.

The nominations for PAC membership are as follows:

Boardmember Thompson: Nick Angeloff, Billy Joe Long.

Boardmember Brinton: Maureen Hart, Tibora Gersyk-Bloom.

Boardmember Maxwell: Tall Chief Comet, Jane Woodward.

Boardmember McCall-Wallace: Doug Hooper, Kit Mann.

Boardmember Madsen: Shawn Bennett, John Murray.

Chairman Lovelace: Carolyn Hawkins, Chip Sharp.

Motion Madsen/Brinton to Appoint PAC Membership as Nominated 6/0/0.

The Board further discussed the possibility of naming at least one alternate PAC member to serve in the event that members dropped out or was otherwise predisposed when alerted to their nomination.

Motion Brinton/Thompson to Nominate Chuck Schager as Alternate 5/1/0.

Boardmember Madsen dissented.

Chairman Lovelace Opened the Floor to Public Comment. No comment made.

Chairman Lovelace Closed the Floor to Public Comment.

Boardmember Madsen indicated his reluctance to appoint as sole alternate an employee of ERD, noting past issues in working with the company. He requested a second alternate be named.

Motion McCall-Wallace/Madsen to Nominate Brian Sollom as Alternate. Following discussion in which the potential ranking of alternates in order of appointment could not be agreed upon, the motion initially lost its second, and was later withdrawn by Boardmember McCall-Wallace.

Motion Madsen to Reconsider Slate Discussion. Motion Dies for Lack of Second.

7) **Receive Presentation on SCRAP Humboldt**

Interim Executive Director Owen introduced Tibora Gersyk-Bloom of SCRAP Humboldt.

Tibora Gersyk-Bloom of SCRAP (School Community Reuse Action Program) Humboldt delivered a presentation regarding the formation and goals of the program. She outlined donators and participants as well as goals and the unique roll that SCRAP will play in the community.

Chairman Lovelace Opened the Floor to Public Comment. No comment made.

Chairman Lovelace Closed the Floor to Public Comment.

8) **Executive Director's Report**

Interim Executive Director Owen reported on a number of activities; The last e-waste mobile event of the year will happen on Saturday, October 13; with the end of the mobile collection season in sight, he further noted that Hazardous Waste may be brought into the permanent facility by appointment, so that residential customers don't have to wait until the first Saturday of the month.

Brent Whitener, Programs Manager, will be attending a meeting of the Environmental Services JPA, which includes twenty rural counties, to introduce himself and the Authority and follow the discussions currently facing other rural areas.

The Closure of the Eel River Plant in Scotia has given rise to some future concerns; if power plants do not accept greenwaste, there could be a negative effect on waste diversion in the county. Ash, which has been used in land application, may now have to go to landfills, and the remaining plants may shut down due to the stresses caused by this

requirement. This item will be revisited as ash testing requirements proposed by the NCRWQCB and the full effect of plant closures are realized.

The North County Fair provided some strong lessons in Foodwaste management. Zero Waste Humboldt created a lot of clean Foodwaste, but required a significant amount of supervision. The event highlighted the learning curve going into the Foodwaste program. In addition, HWMA has begun collecting Foodwaste from early adopters in Old Town Eureka through a grant from the Federal EPA. A Preliminary meeting was held with potential anaerobic digester system RFP respondents, 41 firms in all.

Mr. Owen further reported on potential improvements to materials acceptance policies for difficult to dispose of materials. Asbestos acceptance policies will be revisited to improve ease of drop-off for all customers, while still protecting HWMA employees. The City of Eureka is currently absorbing \$30,000 for meth lab cleanups. With the financial difficulty California is going through, it has fallen upon the local communities to cover the cost of these cleanup jobs. HWMA is exploring the idea of performing these cleanups; staff is currently fleshing out insurance and legal requirements for such a service. Interim Executive Director Owen wanted to thank the Board for their patience and guidance through this transition.

Boardmember Madsen stated that there are also issues with marijuana cleanup that can be addressed with the potential meth cleanup service.

Chairman Lovelace Opened the Floor to Public Comment.

Maureen Hart expressed her appreciation to Interim Executive Director Owen for his hard work during the transition. Chairman Lovelace seconded that comment.

Administrative Services Manager Egerer indicated that the Authority's website was currently down due to a fairly severe hack which had corrupted a number of the site's files.

Chairman Lovelace Closed the Floor to Public Comment.

Motion Brinton/Newman to approve the PAC role as written in the R3 report with the addition of a new number one indication that it is desirable that PAC members attend public strategic planning meetings when possible 6/0/0.

9) Adjourn

Chairman Lovelace Adjourned the Meeting at 8:21 p.m.

Next Meeting: November 8, 2012 at 6:30 p.m. at Eureka City Hall Council Chambers.



DATE: November 8, 2012

FROM: Tyler Egerer, Administrative Services Manager

SUBJECT: Item 3)c
Receive September 2012 Financial Reports

RECOMMENDED ACTION: Review and Comment.
Review and Comment on September 2012 Financial Reports.

DISCUSSION:

September financials are provided, with the qualifier that the Balance Sheet continues to contain preliminary information pending the final results of the Fiscal Year 2013 audit.

Landfill closure activities remain the critical focus of Authority activity in September. CalRecycle has approved a release of most of the funds remaining for Phase I closure construction, which reimburses the Authority for roughly \$4 million in expenses incurred to date. CalRecycle will retain 20% of the funds reimbursed until Phase I Closure is Approved. Year-to-Date expenses seem high, however – based on past experience – closure expenses should be represented as current costs until such time as Phase I construction is signed off on by CalRecycle, the Water Board, and the LEA, at which time those expenses can be applied against the closure and post-closure liability.

The activity report through September reflects a minor decline in solid- and greenwaste activity moving into September; however a particularly healthy start to the year has kept most disposal activity – including station traffic – within 5% of the previous years' levels. HHW participation is up in the business sector, but significantly lower residentially, as the continued success of the mobile event program and improvements to on-site disposal have helped to eliminate much of the hazardous waste remaining in the County.

Total cash disbursements for September totaled \$2.014 million. Closure expenses comprise about half of those, and the remaining portion is the result of a number of facility improvement projects that were put on hold during closure construction, as staff awaited reimbursement from CalRecycle for the largest portion of funds for the remainder of the project.

The Cash Position Report shows the balance of the checking, savings, and trust accounts as of September 30, 2012. It should be noted that only the checking and savings balances are available to the Authority for general business expenses. The bond balances are restricted for bond payments only.

Attachments:

Activity Report September 2012

Preliminary Balance Sheet September 2012

Cash Position Report September 2012

Cash Disbursements September 2012

Department and Authority-wide Income Summaries, September 2012

Activity Report
July 1, 2012 - September 30, 2012

<u>Waste Tonnage</u>	Tonnage			Revenue		
	Year to Date	Prior YTD	% of Prior	Year to Date	Prior YTD	% of Prior
Hawthorne						
Franchise	10,644	10,955	97.2%	\$1,279,710	\$1,317,145	97.2%
Self Haul	4,455	4,269	104.4%	\$671,775	\$660,039	101.8%
Subtotal	15,099	15,225	99.2%	\$1,951,485	\$1,977,184	98.7%
Satellite Facilities						
Humboldt Sanitation	1,162			\$43,535		
ERD	1,695	2,275	74.5%	\$157,654	\$212,336	74.2%
TOTAL.	17,956	17,499	102.6%	\$2,152,674	\$2,189,520	98.3%
Greenwaste	760	804	94.6%	\$63,168	\$63,661	99.2%

Household Hazardous Waste

	Customers			Revenue		
	Year to Date	Prior YTD	% of Prior	Year to Date	Prior YTD	% of Prior
Commercial	82	73	112.3%	\$20,508	\$17,887.29	114.7%
Residential	878	1,102	79.7%	\$7,202	\$8,496.03	84.8%
Fortuna Residential	12	17	70.6%	\$315	\$499.00	63.1%
Revenue from Countywide Fee				\$96,610	\$109,938.05	87.9%
TOTAL.	972	1,192	81.5%	\$124,635	\$136,820	91.1%

Traffic Count (Excludes greewaste activity)	Average Daily		Average Daily		% of Prior
	Count FY12	Exceptions	Count FY11	Exceptions	
July	266	None	281	None	94.7%
August	252	None	265	None	95.1%
September	252	None	265	None	95.1%
October			241	None	0.0%
November			229	None	0.0%
December			236	None	0.0%
January			234	None	0.0%
February			237	None	0.0%
March			216	None	0.0%
April			239	None	0.0%
May			259	None	0.0%
June			259	None	0.0%
Year-to-Date Average	257		270		94.9%

Humboldt Waste Management Authority
PRELIMINARY Statement of Assets and Liabilities
For the Period Ending September 30, 2012

ASSETS	September 30, 2012	June 30, 2012
Current Assets		
Cash and Cash Equivalents	\$3,654,508.99	\$3,572,845.18
Accounts Receivable	\$722,610.66	\$705,204.74
Prepaid Items	\$35,440.58	\$49,960.49
Total Current Assets	\$4,412,560.23	\$4,328,010.41
Restricted Assets		
Investment with Bond Trustee	\$2,163,585.35	\$2,163,585.35
Closure and post Closure care Trust Fund	\$4,575,094.40	\$8,442,570.11
Article Five Trust Fund	\$66,731.84	\$67,338.56
Accrued Interest Receivable	\$63,805.46	\$53,669.70
Total Restricted Assets	\$6,869,217.05	\$10,727,163.72
Other Assets		
Property, Plant, & Equipment	\$5,450,359.54	\$5,461,573.26
Deferred Charges	\$280,795.73	\$290,809.61
Grants Receivable	\$38,567.86	\$38,567.86
SWoW Receivable	\$47,600.00	\$47,600.00
OPP Receivable	(\$38,996.01)	(\$38,996.01)
Waste Authority Permit	\$221,171.00	\$221,171.00
Contract with Anderson Landfill	\$110,900.01	\$132,023.73
Goodwill Depreciable - Purchase of WSG	\$2,021,754.24	\$2,229,113.68
Total Other Assets	\$8,132,152.37	\$8,381,863.13
Total Assets	\$19,413,929.65	\$23,437,037.26
LIABILITIES AND NET ASSETS		
Current Liabilities		
Accounts Payable	\$1,034,450.48	\$637,581.10
Deferred Revenue - Kernen	\$56,233.95	\$56,233.95
Deferred Revenue	\$368,453.19	\$368,453.19
Current Portion of Bonds Payable	\$629,980.00	\$53,220.00
Current Portion of Leases Payable	\$0.00	\$0.00
Current Portion of Loan Payable	\$50,000.00	\$0.00
Accrued Wages and Payroll taxes payable	\$59,037.44	\$66,124.76
Accrued Interest Payable	\$83,500.00	\$83,500.00
Other Accrued liabilities	\$2,300.00	\$2,300.00
Total Current Liabilities	\$2,283,955.06	\$1,267,413.00
Long Term Liabilities		
Loans Payable - CIWMB Closure	\$213,655.40	\$263,655.40
Equipment Leases Payable	\$0.00	\$0.00
Estimated closure and post closure costs	\$13,180,335.03	\$14,000,000.00
Bonds payable, long-term portion	\$9,220,000.00	\$10,055,000.00
Total Long Term Liabilities	\$22,613,990.43	\$24,318,655.40
Total Liabilities	\$24,897,945.49	\$25,586,068.40
Net Assets		
Equity Reserved	(\$3,424,657.00)	(\$3,424,657.00)
Unrestricted	\$3,768,339.90	\$3,768,339.90
Restricted for Special Programs	\$31,673.22	\$31,673.22
Investment in Capital Assets	(\$2,280,266.00)	(\$2,280,266.00)
Increase (Decrease) in Net Assets	(\$3,579,105.96)	(\$244,121.26)
Total Net Assets	(\$5,484,015.84)	(\$2,149,031.14)
Total Liabilities and Net Assets	\$19,413,929.65	\$23,437,037.26

Humboldt Waste Management Authority
Cash Position
For the Period Ending September 30, 2012

Fund Name	Investor	Restricted	Unrestricted
Public Funds Checking Account	Umpqua Bank		\$3,250,895.95
Public Funds Savings Account	Umpqua Bank		\$396,925.42
Landfill Closure/Post Closure Trust Fund	Union Bank	\$4,236,472.62	
Landfill Article 5 Corrective Action Trust Fund	Union Bank	\$66,731.84	
Project Fund - Series 2002 Bond	Bank of New York	\$408.92	
Reserve Fund - Series 2002 Bond	Bank of New York	\$91,052.98	
Debt Service Fund - Series 2002 Bond	Bank of New York	\$31.09	
Revenue Fund for Bond Payment - Series 2002 Bond	Bank of New York	\$533,838.26	
Reserve Fund - Series 2005 Bond	Bank of New York	\$693,995.00	
Cost of Issuance - Series 2005 Bond	Bank of New York	\$24,891.97	
Revenue Fund - Series 2005 Bond	Bank of New York	\$585,078.47	
Bond Payment Deposit	AIG - Wells Fargo	\$599,395.00	
Total Funds		\$6,831,896.15	\$3,647,821.37

September Disbursements

Paid To	Amount	Paid To	Amount
101Netlink	\$60.00	Mendes Supply Company	\$59.72
Advanced Superior Alarms	\$138.00	Miller Farms Nursery, Inc	\$697.07
AFLAC	\$358.46	Mission Uniform & Linen	\$734.44
Anderson Dragline,Inc	\$1,192,073.67	Moore's Roofing And Services	\$13,021.00
Anderson Landfill	\$60,270.18	Myrtle town Lumber	\$518.79
Asbury Environmental Services	\$5,202.50	Nancy Diamond	\$9,686.85
AT & T	\$381.38	Network Management Services	\$2,887.99
Bank of New York	\$107,450.00	NEVA SWAN	\$106.39
Bettendorf Enterprises, Inc.	\$252,895.48	North Coast Cleaning Service I	\$197.00
Blue Shield of California	\$21,180.43	North Coast Journal	\$508.00
CA SDU	\$13.00	Northern California Gloves	\$116.64
Cardmember Service	\$4,948.82	Northern California Safety Con	\$80.00
Cash	\$4,167.00	Occupational, Environmental He	\$947.00
City of Eureka	\$348.08	P G & E	\$4,222.26
Cleek Company	\$315.00	Pacific Motorsports	\$279.38
Conexis	\$50.00	Pacific Paper Co.	\$1,605.06
Con-Way Freight Lines	\$1,868.00	Pape Machinery	\$100.34
Cora Williams	\$192.80	Peterson Tractor	\$235.45
Court-Ordered Debt Collections	\$711.81	Picky Picky Picky Store	\$478.35
CRV Cash	\$2,803.00	Pierson Building Center	\$711.07
Crystal Springs Bottled Water	\$157.25	PSC-Philip Services Corporatio	\$39,386.00
Custom Sweeping	\$420.00	QED Environmental Systems, Inc	\$1,629.83
Eel River Disposal	\$26,277.25	R3 Consulting Group	\$13,657.50
Englund Marine Supply Co. Inc.	\$66.04	RCS	\$359.28
Erik Randle	\$129.60	Recology Humboldt County	\$37.50
Eureka Boiler Works LLC	\$226.09	Redwood Teen Challenge	\$1,158.75
Eureka Humboldt Fire Extinguish	\$1,422.74	Rogers Machinery Company, Inc.	\$356.00
Eureka Napa	\$2.54	RWS Services	\$471.53
Eureka Rubber Stamp Co.	\$186.62	S.D.R.M.A	\$22,219.58
Express Services, Inc.	\$14,759.86	Scrapper's Edge	\$420.93
FedEx	\$90.17	SETCO	\$1,176.45
Finnegan & Nason	\$9.19	SHN Consulting Engineers and G	\$3,550.15
Francotyp-Postalia, Inc	\$110.00	Staples Credit Plan	\$103.21
Freon Free Appliance Processin	\$1,205.48	Steritech Group Inc	\$325.00
Geo-Logic Associates	\$47,811.52	Steve Morris Logging & Contrac	\$10,900.54
Hagadone Directories, Inc	\$549.12	Suddenlink	\$69.95
Harbor Freight Tools	\$87.44	Taylor Made Fencing	\$95.00
HDR Engineering, Inc	\$14,341.50	The Ferndale Enterprise	\$654.50
Hensell Materials	\$1,130.67	Thrifty Supply Company	\$1,510.52
HSBC Business Solutions	\$499.60	Thumper's Mechanical Service I	\$6,359.23
Humboldt Bay Forest Products	\$4,053.02	Tiffany Ibbs	\$795.87
Humboldt Community Services Di	\$20.60	Times Printing Company	\$458.35
Humboldt County Dept of Public	\$20,647.60	Tyler Egerer	\$52.08
Humboldt County Environmental	\$16,847.43	U-HAUL CORPORATE	\$173.12
J. CARLOS CHAVEZ	\$57.22	United Rentals Inc.	\$499.71
Jeff Williams	\$200.00	US Bank Office Equipment Finan	\$1,180.29
Juliette Bohn	\$80.75	Verizon Wireless	\$440.80
Karen Sherman	\$38.44	Western Baler & Conveyor, Inc	\$94,214.18
L & M Renner, Inc	\$6,714.01	Woods Pest Control	\$210.00
Lawrence & Associates	\$21,962.23	Zep Manufacturing Company	\$103.31
Leon's Car Care Center	\$99.59		
Mad River Hardwood Co., Inc	\$25,952.33		\$1,866,430.32
MAPLESERVICE	\$963.62		
Mark Springman	\$133.19	Payroll Expenses	\$148,234.92
Maureen Hart	\$3,500.00		
McKinleyville Press	\$250.00	Total Disbursements	\$2,014,665.24

**Humboldt Waste Management Authority
Summary Statement of Operations
For the Period Ending September 30, 2012
Actual vs Budget**

	September Actual	YTD Total	YTD Budget	YTD Variance	% of YTD Budget	Total Budget	YTD 25.00% of Total Budget
Operations							
Total Revenues	747,639	2,538,372	2,384,245	154,127	106.46%	9,536,979	26.62%
Operational Expense	312,078	1,160,688	1,319,706	(159,017)	87.95%	5,278,823	21.99%
Payroll	152,888	437,981	511,800	(73,819)	85.58%	2,047,200	21.39%
Indirect Expense	141,684	342,806	355,795	(12,989)	96.35%	1,423,180	24.09%
Subtotal Expenses	606,650	1,941,475	2,187,301	(245,825)		8,749,203	
Net Operations	140,989	596,896	196,944	399,952		787,776	
Non-Operational Expense	39,293	117,879	127,163	(9,284)	92.70%	508,651	23.17%
Other Revenues & Expenses	(649,687)	(4,063,281)	(95,814)	(3,967,468)	4240.82%	(383,254)	1060.21%
Net Change in Assets	(547,991)	(3,584,264)	(26,032)	(3,558,232)		(104,129)	

Notes to Financials: Other Revenues & Expenses are significantly over budget due to unbudgeted amortization of goodwill and bond payments. In addition, landfill closure construction costs are being expensed until final approval of closure construction by CalRecycle and the NCRWQCB.

**Humboldt Waste Management Authority
Summary Statement of Operations
Year-to-Date for the Period Ending September 30, 2012
by Department**

	YTD Total	Admin	Transfer Station	ERD	HHW	Cummings Landfill	Recycling	Compost Facility	Programs
Operations									
Total Revenues	2,538,372	90,350	1,558,390	155,255	125,029	127,132	215,083	113,580	153,553
Operational Expense	1,160,688	0	776,039	57,226	109,583	19,104	109,680	79,181	9,876
Payroll	437,981	64,487	119,464	0	34,156	45,481	98,074	2,562	73,757
Indirect Expense	342,806	51,687	85,127	0	29,804	36,433	34,062	4,984	100,708
Subtotal Expenses	1,941,475	116,174	980,629	57,226	173,544	101,018	241,816	86,727	184,342
Net Operations	596,897	(25,824)	577,761	98,030	(48,515)	26,113	(26,733)	26,853	(30,789)
Non-Operational Expense	117,879	11,751	69,921	0	11,169	5,646	7,209	4,431	7,752
Other Revenues & Expenses	(4,063,281)	8,118	(256,505)	0	0	(3,801,988)	0	0	(12,906)
Net Change in Assets	(3,584,264)	(29,457)	251,335	98,030	(59,684)	(3,781,521)	(33,942)	22,422	(51,448)

**Humboldt Waste Management Authority
Statement of Operations with Budget
For the Period Ending September 30, 2012
Administration, Transfer Station, Recycling**

	September Actual	YTD Actual	YTD Budget	YTD Variance	% of YTD Budget	Total Budget	YTD 25.00% of Total Budget
Total Revenues	581,670	2,132,659	2,029,870	102,789	105.06%	8,119,479	26.27%
Direct Expenses	373,381	1,306,712	1,554,981	(248,269)	84.03%	6,219,923	21.01%
Gross Margin	208,289	825,947	474,889	351,058		1,899,556	
Indirect Expenses	76,023	175,860	161,458	14,401	108.92%	645,833	27.23%
Income from Operations	132,266	650,087	313,431	336,656		1,253,723	
Depreciation	31,104	93,312	102,587	(9,275)	90.96%	410,346	22.74%
Other Revenue & Expense	(82,065)	(248,387)	(95,814)	(152,573)	259.24%	(383,254)	64.81%
Net Income (Loss)	19,097	308,388	115,031	193,358		460,123	

Notes to Financials: Other Revenue & Expenses at 259% of YTD budget are the result of unbudgeted amounts for amortization of WSG goodwill, Anderson Landfill contract.

Humboldt Waste Management Authority
Statement of Operations with Budget
For the Period Ending September 30, 2012
Programs Department

	September Actual	YTD Actual	YTD Budget	YTD Variance	% of YTD Budget	Total Budget	YTD 25.00% of Total Budget
Total Revenues	111,004	275,951	233,900	42,051	117.98%	935,600	29.49%
Direct Expenses	68,335	227,373	193,400	33,973	117.57%	773,600	29.39%
Gross Margin	42,670	48,578	40,500	8,078		162,000	
Indirect Expenses	57,671	130,513	111,557	18,956	116.99%	446,228	29.25%
Income from Operations	(15,001)	(81,934)	(71,057)	(10,877)		(284,228)	
Depreciation	6,307	18,921	18,481	440	102.38%	73,923	25.60%
Other Revenue & Expense	(4,302)	(12,906)	(12,950)	44	1	(51,800)	24.92%
Net Income (Loss)	(25,610)	(113,762)	(102,488)	(11,274)		(409,951)	

**Humboldt Waste Management Authority
Statement of Operations with Budget
For the Period Ending September 30, 2012
Landfill Includes Trust Funds**

	September Actual	YTD Actual	YTD Budget	YTD Variance	% of YTD Budget	Total Budget	YTD 25.00% of Total Budget
Total Revenues	54,965	127,132	120,475	6,657	105.53%	481,900	26.38%
Direct Expenses	23,250	64,585	83,125	(18,540)	77.70%	332,500	19.42%
Gross Margin	31,715	62,547	37,350	25,197		149,400	
Indirect Expenses	7,991	36,433	82,780	(46,346)	44.01%	331,119	11.00%
Income from Operations	23,725	26,113	(45,430)	71,543		(181,719)	
Depreciation	1,882	5,646	6,096	(450)	92.63%	24,382	23.16%
Other Non-Operational Expenses	(563,320)	(3,801,988)	(1,000,000)	(2,801,988)		(4,000,000)	
Net Income (Loss)	(541,477)	(3,781,521)	(1,051,525)	(2,729,996)		(4,206,101)	

Notes to Financials: Landfill closure construction is being expensed until full write off by regulatory agencies, at which point closure and post-closure liability will be reduced.



DATE: November 8, 2012

FROM: Nancy Diamond, Authority Counsel

SUBJECT: Item 3)d
Approval of Tolling of Indemnity Provisions in Landfill Purchase and Sale and Agreement with Recology

RECOMMENDED ACTION:

Authorize the Executive Director to execute a one-year Second Extension to the Tolling Agreement Amendment to Agreement of Purchase and Sale and Joint Escrow Instructions Between City Garbage and HWMA.

DISCUSSION:

As you are aware, HWMA purchased the Cummings Road landfill property from City Garbage (currently called Recology) in 2000. The purchase and sale agreement between HWMA and City Garbage allows for cross indemnity for specified landfill related claims and requires claims to be filed within two years of discovery. On October 16, 2008, Recology filed a notice against HWMA triggering these indemnity provisions in regard to potential liability for cleaning up the burn dump. As you may recall, the burn dump is located adjacent to the landfill on property owned by Recology and consists of ash residue from historic waste burn operations. North Coast Regional Water Quality Control Board staff has been involved in conversations with both Recology and the HWMA as early as 2006 regarding appropriate clean up and closure of the burn dump site.

On October 14, 2008, Recology filed a claim for indemnity against HWMA under the provision referenced above seeking recovery of future costs incurred for cleanup of the burn dump. Although HWMA denies responsibility and liability for cleanup of the burn dump the Board determined in 2008 that it was then in its best interest to work cooperatively with Recology in exploring mutually beneficial cleanup solutions and, on November 13, 2008, the Board authorized an amendment to the purchase and sale agreement to toll (or suspend) the two year time period for bringing indemnity claims. On October 14, 2010, the Board extended the tolling agreement by two years to allow for ongoing exploration of cleanup options. Staff has continued to research options and discuss those with Recology during this period.

Recology has requested another two-year extension. Staff believes a one-year extension would be appropriate to allow for the continuation of discussions with Recology while the new Executive Director develops familiarity with the burn dump issues.

Attachments: Proposed Second Extension Agreement
2010 Extension Agreement
2008 Tolling Agreement and Notice of Claim of Indemnity by City Garbage

**AMENDMENT TO AGREEMENT OF PURCHASE AND SALE
AND JOINT ESCROW INSTRUCTIONS
CONCERNING TOLLING OF INDEMNIFICATION OBLIGATIONS**

This AMENDMENT TO AGREEMENT OF PURCHASE AND SALE AND JOINT ESCROW INSTRUCTIONS CONCERNING TOLLING OF INDEMNIFICATION OBLIGATIONS (“Amendment”) is entered into as of October 16, 2008 (“Effective Date”) by and between HUMBOLDT WASTE MANAGEMENT AUTHORITY, a California joint powers authority (“Buyer”), and CITY GARBAGE COMPANY OF EUREKA, INC., a California corporation (“Seller”) (Buyer and Seller are also referenced individually as “Party” and collectively as “Parties”).

RECITALS

WHEREAS the Parties previously entered into that certain Agreement of Purchase and Sale and Joint Escrow Instructions, dated November 29, 1999 (“Agreement”), whereby the Parties agreed that Seller would transfer its interest in the Landfill and the Landfill Property to Buyer, and Seller would retain the adjacent Retained Property, as specified further in the Agreement, all subject to certain representations, warranties, and indemnities;

WHEREAS, following certain amendments to the Agreement, the parties completed the transaction contemplated by the Agreement on June 16, 2000;

WHEREAS, Paragraph 5.0 of the Agreement specifies the rights of the Parties to indemnification with respect to Losses and Third Party Claims, and specifies a process by which the Parties are to resolve such requests for indemnification;

WHEREAS, on or about the Effective Date, Seller gave notice (“Notice”) to Buyer of a Third Party Claim by the North Coast Regional Water Quality Control Board (“Water Board”) relating to the investigation and remediation of waste from Landfill operations that currently resides on the Retained Property;

WHEREAS, in the Notice Seller explained that any costs and expenses incurred by Seller in responding to the Third Party Claim are Losses against which Buyer agreed to indemnify Seller under Paragraph 5.4 of the Agreement

WHEREAS, Buyer disputes the application of Paragraph 5.4 of the Agreement to the Third Party Claim as described in the Notice, and Buyer’s liability to indemnify Seller for such Losses arising thereunder;

WHEREAS, the Parties concur that deferring the process of resolving the indemnification claim presented in the Notice will mutually benefit the Parties and may enable the Parties to avoid needless delay and expense.

AMENDMENT

NOW THEREFORE, the Parties, in consideration of the mutual promises contained herein, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, mutually agree as follows:

1. **Defined Terms.** All initial-capitalized terms used in this Amendment and not otherwise defined herein shall have the same definition as given to them in the Agreement.

2. **Dispute.** As a result of the Notice, a dispute has arisen between Buyer and Seller as to whether costs and expenses incurred by Seller in responding to the Third Party Claim are Losses against which Buyer agreed to Indemnify Seller under Paragraph 5.4 of the Agreement (“Dispute”). To avoid incurring attorneys’ fees and to provide adequate time for the Parties to explore a consensual resolution of the Dispute, the Parties agree to the tolling and extension periods set forth below. The Parties expressly reserve all claims and do not waive any defenses except as expressly set forth below.

3. **Statutes of Limitation and Equitable Defenses Tolloed.** All statutes of limitation and all equitable defenses based on the passage of time that are applicable to the Dispute shall be tolled for two (2) years from the Effective Date (“Tolling Period”).

4. **Time for Complying with Purchase Agreement Extended.** The time for fulfilling any requirements, asserting any rights, and meeting any obligations created by the Agreement with respect to the Dispute – including, without limitation, any requirement that Buyer respond to the Notice or that Buyer notify Seller whether it will defend and indemnify Seller in part or in full against the Third Party Claim at issue in the Notice – shall be extended for two (2) years from the Effective Date (“Extension Period”).

5. **Early Termination of Tolling/Extension Periods.** Either Party may terminate the Tolling Period and/or Extension Period by providing the undersigned representative of the non-canceling Party with 60 days prior, written notice of cancellation.

6. **No Admission.** Except as otherwise expressly provided herein, this Amendment does not constitute an admission by any Party of anything.

7. **Governing Law; Entire Agreement; Amendments.** This Amendment shall be construed and interpreted in accordance with the laws of the State of California without regard to its choice of law principles. This Amendment constitutes the entire agreement and understanding among the Parties with respect to its subject matter, and no statement, promise, or inducement made by any of the Parties or agent of the Parties that is not contained in this written Amendment shall be valid or binding. This Amendment may not be enlarged, modified, or altered except in a writing signed by the Parties.

8. **Counterparts; Authority.** For purposes of this Amendment, signatures provided by facsimile or e-mail shall have the same force and effect as original signatures. This Amendment may be executed in counterparts. Each of the undersigned represents and warrants

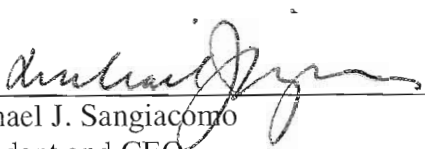
that he or she is authorized to sign this Amendment on behalf of the party or parties for whom he or she is signing.

IN WITNESS WHEREOF the undersigned have executed this Amendment as set forth below.

DATED: November 13, 2008

By: 
James A. Test
Executive Director
Humboldt Waste Management Authority

DATED: November 24, 2008

By: 
Michael J. Sangiacomo
President and CEO
City Garbage Company of Eureka

TOLLING AGREEMENT EXTENSION

This TOLLING AGREEMENT EXTENSION ("Extension") amends that certain AMENDMENT TO AGREEMENT OF PURCHASE AND SALE AND JOINT ESCROW INSTRUCTIONS CONCERNING TOLLING OF INDEMNIFICATION OBLIGATIONS entered into as of October 16, 2008 ("Amendment") by and between HUMBOLDT WASTE MANAGEMENT AUTHORITY, a California joint powers authority ("Buyer"), and RECOLOGY HUMBOLDT COUNTY, formerly known as CITY GARBAGE COMPANY OF EUREKA, INC., a California corporation ("Seller").

RECITALS

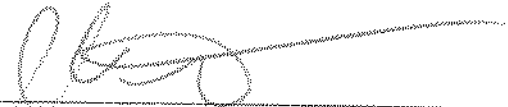

WHEREAS Buyer and Seller (the "Parties") previously entered into the Amendment tolling certain time periods (relating to a claim by Buyer against Seller) for two years because the Parties concurred that deferring the process of resolving that claim would mutually benefit the Parties and could enable the Parties to avoid needless expense;

WHEREAS, the Parties concur that deferring that process for an additional two years would be similarly beneficial;

AGREEMENT

NOW THEREFORE, the Parties, in consideration of the mutual promises contained herein, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, mutually agree that (a) all initial-capitalized terms used in this Extension and not otherwise defined herein shall have the same definition as given to them in the Amendment, (b) the two-year Tolling Period and Extension Period in the Amendment are hereby extended to four years, (c) all other terms of the Amendment remain unchanged, (d) signatures to this Extension provided by facsimile or e-mail shall have the same force and effect as originals, and (e) this Extension may be executed in counterparts.

IN WITNESS WHEREOF the undersigned have executed this Extension as set forth below.

<p>Humboldt Waste Management Authority</p> <p>By:  James A. Test, Executive Director</p> <p>Date: <u>3/27</u>, 2010</p>	<p>Recology Humboldt County</p> <p>By:  Michael J. Sangiacomo, President and CEO</p> <p>Date: <u>Nov. 8</u>, 2010</p>
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TOLLING AGREEMENT SECOND EXTENSION

This TOLLING AGREEMENT SECOND EXTENSION (“Second Extension”) is entered into as of October 16, 2012 by and between HUMBOLDT WASTE MANAGEMENT AUTHORITY, a California joint powers authority (“Buyer”), and RECOLOGY HUMBOLDT COUNTY, formerly known as CITY GARBAGE COMPANY OF EUREKA, INC., a California corporation (“Seller”), and amends that certain AMENDMENT TO AGREEMENT OF PURCHASE AND SALE AND JOINT ESCROW INSTRUCTIONS CONCERNING TOLLING OF INDEMNIFICATION OBLIGATIONS entered into as of October 16, 2008 (“Amendment”) by and between Buyer and Seller (“the Parties”), as amended by that certain TOLLING AGREEMENT EXTENSION entered into as of October 16, 2010 (“Extension”) by and between the Parties.

RECITALS

WHEREAS the Parties previously entered into the Amendment tolling certain time periods (relating to a claim by Buyer against Seller) for two years and entered into the Extension tolling certain time periods (relating to said claim) an additional two years because the Parties concurred that that deferring the process of resolving that claim would mutually benefit the Parties and could enable the Parties to avoid needless expense;

WHEREAS, the Parties concur that deferring that process for an additional one year would be similarly beneficial.

AGREEMENT

NOW THEREFORE, the Parties, in consideration of the mutual promises contained herein, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, mutually agree that (a) all initial-capitalized terms used in this Second Extension and not otherwise defined herein shall have the same definition as given to them in the Amendment; (b) the two-year Tolling Period and Extension Period in the Amendment are hereby extended to five years; (c) all other terms of the Amendment and Extension remain unchanged; (d) signatures to this Second Extension provided by facsimile or e-mail shall have the same force and effect as originals; and (e) this Second Extension may be executed in counterparts.

IN WITNESS WHEREOF the undersigned have executed this Second Extension as set forth below.

Humboldt Waste Management Authority By: _____ Jill Duffy, Executive Director Date: November ____, 2012	Recology Humboldt County By: _____ Michael J. Sangiacomo, President and CEO Date: November ____, 2012
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DATE: November 8, 2012

FROM: Jill Duffy, Executive Director

SUBJECT: Item 3)e
Authorize Executive Director to Work with Lawrence & Associates to Accept Phase I Landfill Closure Project and Release Retention Funds upon Satisfactory Completion to Anderson Dragline.

RECOMMENDED ACTION: Voice vote.
Authorize Executive Director to Work with Lawrence & Associates to Accept Cummings Road Landfill Phase I Closure Project, and Release Retention Payment of \$318,579.89 upon Satisfactory Completion to Anderson Dragline.

DISCUSSION:

Anderson Dragline completed the Cummings Road Landfill Phase I Closure Construction project in early October 2012. Lawrence & Associates, the engineering firm contracted by the Authority to design and oversee closure construction has inspected all work completed and is satisfied with the work completed.

The amount of \$318,579.89 requested in Anderson Dragline's final billing to HWMA includes \$227,702.70, or 5% of the final adjusted contract amount retained by HWMA, which by public contract law has been withheld, pending sign-off by both the Geo-Logic, which provided Construction Quality Assurance services, and Lawrence & Associates. The remainder of the payment, \$90,877.19, represents a small portion of erosion control efforts completed by the erosion control subcontractor in October.

ATTACHMENTS:

Final Bill

**Cummings Rd Landfill - Phase 1 Closure
PAYMENT APPLICATION AND CERTIFICATION**

Sheet 1 of 1

Application No. 6 Period From 10/1/12 To: 10/12/12

Application Date 10/26/12

OWNER: Humboldt Waste Management Authority
1059 West Hawthorn St. Eureka, CA 95501

CONTRACTOR: Anderson Dragline, Inc.
P.O. Box 968
Gridley, CA 95948

1	Original Contract Price	<u>\$ 4,095,114.92</u>	
2	Approved Contract Modifications to Date	<u>\$ 458,939.15</u>	
3	Revised Contract Amount (Sum Lines 1,2)		<u>\$ 4,554,054.07</u>
4	Total Value of Original Contract Work Completed To Date (Schedule of Values Attached)	<u>\$ 4,095,114.92</u>	
5	Total Value of Contract Modification Work Completed To Date (See Attachment)	<u>\$ 458,939.15</u>	
6	Materials On Hand		
	Previous Materials On Hand	<u>\$ -</u>	
	Used Amount of Materials on Hand Subtracted	<u>\$ -</u>	
	New Amount of Materials on Hand Added	<u>\$ -</u>	
	Current Materials on Hand	<u>\$ -</u>	
7	Work Completed to Date (Sum Lines 4 & 5)		<u>\$ 4,554,054.07</u>
8	Work Completed Percentage (Line 7 Divided by Line 3, X 100) =		<u>100%</u>
9	Payment Retainage (5% x Line 7) 5%		<u>\$ 227,702.70</u>
10	Total Earned to Date (includes retention)		<u>\$ 4,554,054.07</u>
11	Less Previous Payments		<u>\$ 4,235,474.18</u>
12	Current Payment Due (Line 11 less Line 12)		<u>\$ 318,579.89</u>

I hereby certify to the best of my knowledge, information, and belief, that--

(i) The amounts requested are for performance in accordance with the Specifications, terms, and Conditions of the Contract;

(ii) Payments to lower-tier subcontractors and suppliers will be made from the proceeds of the payment covered by this certification, in accordance with the Contract Agreement and the requirements of Chapter 39 of Title 31, United States Code;

(iii) This request for payment does not include any amounts which the Contractor intends to withhold or retain from a lower-tier subcontractor or supplier in accordance with the terms and conditions of the Subcontract;

(iv) The Work has been completed in accordance with the Contract Documents, that the current payment shown herein is now due, and that title for all Work, materials, and equipment covered in this Application will pass to the Client free and clear of all liens at the time of payment.

CONTRACTOR: Anderson Dragline, Inc.

10/26/2012
Date

CONTINUATION SHEET											APPLICATION NO: 6	
Cummings Rd Landfill - Phase 1 Closure											APPLICATION DATE: 10/26/12	
Schedule of Values											PERIOD FROM: 10/1/12 TO: 10/12/12	
Item No.	Item Description	Qty	Unit	Unit Price	Extension Price	Quantity This Period (%)	Previous Quantity	Amount Earned This Period	Quantity Complete to Date	Amount Earned to Date	Quantity Remaining (%)	Amount of Work Remaining
1	Mobilization	1	LS	\$ 130,700.00	\$ 130,700.00	0%	100%	\$ -	100%	\$ 130,700.00	0%	\$ -
2	Health & Safety	1	LS	\$ 2,500.00	\$ 2,500.00	0%	100%	\$ -	100%	\$ 2,500.00	0%	\$ -
3	Field Engineering	1	LS	\$ 50,000.00	\$ 50,000.00	0%	100%	\$ -	100%	\$ 50,000.00	0%	\$ -
4	Clear & Grub Borrow Area B	0.50	ACRE	\$ 5,000.00	\$ 2,500.00	0%	100%	\$ -	100%	\$ 2,500.00	0%	\$ -
5	Remove & Retain Culverts in Stockpile Area	1	LS	\$ 1,900.00	\$ 1,900.00	0%	100%	\$ -	100%	\$ 1,900.00	0%	\$ -
6	Rock From Gravel Roads on Toe, Recover & Stockpile	1	LS	\$ 4,500.00	\$ 4,500.00	0%	100%	\$ -	100%	\$ 4,500.00	0%	\$ -
7	Strip Top 3" of Topsoil From Area 1-A & Stockpile	10.56	ACRE	\$ 2,500.00	\$ 26,400.00	0%	100%	\$ -	100%	\$ 26,400.00	0%	\$ -
8	Strip Top 6" of Topsoil From Area 1-B & Stockpile	10.30	ACRE	\$ 4,500.00	\$ 46,350.00	0%	100%	\$ -	100%	\$ 46,350.00	0%	\$ -
9	Expose Edge of Base Liner	1	LS	\$ 15,000.00	\$ 15,000.00	0%	100%	\$ -	100%	\$ 15,000.00	0%	\$ -
10	Correct Minor Flat Spots on Top Deck of Area 1-B	2,000	CY	\$ 1.50	\$ 3,000.00	0%	128%	\$ 3.00	128.10%	\$ 3,843.00	-28%	\$ -
11	SG Fill Areas On Toe To Create Benches & Found. Layer	10,602	CY	\$ 9.00	\$ 95,418.00	0%	219.98%	\$ -	220%	\$ 209,898.00	-120%	\$ -
12	Fill on Cummings Rd	1,100	CY	\$ 17.00	\$ 18,700.00	0%	106.55%	\$ -	106.55%	\$ 19,924.00	-7%	\$ -
13	Soil Cut From Toe & Then Stockpiled	34,222	CY	\$ 2.00	\$ 68,444.00	0%	67.60%	\$ -	67.60%	\$ 46,268.00	32%	\$ -
14	Rip & Recompact 2' Exist. Cover to Create Foundation Layer	73,537	CY	\$ 5.70	\$ 419,160.90	0%	101.27%	\$ -	101%	\$ 424,501.80	-1%	\$ -
15	Construct Vegetative Layer	55,153	CY	\$ 8.00	\$ 441,224.00	7.67%	100%	\$ 33,840.00	107.67%	\$ 475,064.00	-8%	\$ -
16	Construct Trapezoidal Ditches, V-Ditches & Fine Grading	1	LS	\$ 7,500.00	\$ 7,500.00	0%	100%	\$ -	100%	\$ 7,500.00	0%	\$ -
17	Waste Excavation & Reburial	1,350	CY	\$ 18.00	\$ 24,300.00	0%	221.85%	\$ -	221.85%	\$ 53,910.00	-122%	\$ -
18	Raise or Lower Landfill Gas or Leachate Extract Well Risers	30	EA	\$ 90.00	\$ 2,700.00	-0.0335%	36.70%	\$ (0.90)	36.67%	\$ 990.00	63%	\$ -
19	Pipe Boots Around Wells	30	EA	\$ 200.00	\$ 6,000.00	0%	147%	\$ -	146.67%	\$ 8,800.00	-47%	\$ -
20	Pipe Boots Around L-21, 24" Risers	2	EA	\$ 500.00	\$ 1,000.00	0%	300%	\$ -	300%	\$ 3,000.00	-200%	\$ -
21	60 Mil LLDPPE Textured Super GripNet	1,042,518	SF	\$ 1.39	\$ 1,449,100.02	0%	101.35%	\$ -	101.35%	\$ 1,468,597.55	-1%	\$ -
22	Standard Anchor Trench	3,050	LF	\$ 6.50	\$ 19,825.00	0%	63%	\$ -	62.59%	\$ 12,408.50	37%	\$ -
22A	Plywood & Posts At Temporary Termination	1,475	LF	\$ 5.00	\$ 7,375.00	0%	95.32%	\$ -	95%	\$ 7,030.00	5%	\$ -
23	Sideslope Anchor Trench	1,180	LF	\$ 5.00	\$ 5,900.00	0%	56%	\$ -	56%	\$ 3,320.00	44%	\$ -
24	Liner Termination Below Springs	370	LF	\$ 49.00	\$ 18,130.00	0.0541%	54%	\$ 9.80	54.05%	\$ 9,800.00	46%	\$ -
25	Pipe From Anchor Trench	200	LF	\$ 19.00	\$ 3,800.00	0%	100%	\$ -	100%	\$ 3,800.00	0%	\$ -
26	Runout Liner Termination	450	LF	\$ 30.00	\$ 13,500.00	0%	60%	\$ -	60%	\$ 8,100.00	40%	\$ -
27	Slope Subdrains	10,135	LF	\$ 28.00	\$ 283,780.00	0%	106%	\$ -	106%	\$ 299,964.00	-6%	\$ -
28	Condensate Line Sleeve	60	LF	\$ 6.00	\$ 360.00	0%	100%	\$ -	100%	\$ 360.00	0%	\$ -
29	Remove & Dispose 18" Plastic Culvert at Burn Dump	1	EA	\$ 2,600.00	\$ 2,600.00	0%	100%	\$ -	100%	\$ 2,600.00	0%	\$ -
30	Remove & Dispose 6" Plastic Culvert at Burn Dump	1	EA	\$ 1,200.00	\$ 1,200.00	0%	100%	\$ -	100%	\$ 1,200.00	0%	\$ -
31	Remove & Dispose 6" Plastic Pipe at Cummings Rd	4	EA	\$ 300.00	\$ 1,200.00	0%	100%	\$ -	100%	\$ 1,200.00	0%	\$ -
32	Install 18" N-12 or HDPE SDR 21 Culvert at Cummings Rd	420	LF	\$ 136.00	\$ 57,120.00	0%	106%	\$ (163.20)	105.7143%	\$ 60,384.00	-6%	\$ -
33	Reuse 2, 24" Culverts at Toe	1	LS	\$ 17,000.00	\$ 17,000.00	0%	100%	\$ -	100%	\$ 17,000.00	0%	\$ -
34	Install 2 X 24" HDPE - Culvert #6	70	LF	\$ 71.00	\$ 4,970.00	0%	114.29%	\$ -	114%	\$ 5,680.00	-14%	\$ -
35	Install 24" HDPE - Culvert #7	35	LF	\$ 84.00	\$ 2,940.00	0%	114.29%	\$ -	114%	\$ 3,360.00	-14%	\$ -
36	Install 24" HDPE - Culvert #8	35	LF	\$ 84.00	\$ 2,940.00	0%	114.29%	\$ -	114%	\$ 3,360.00	-14%	\$ -
37	Install 36" HDPE - Culvert #11	50	LF	\$ 115.00	\$ 5,750.00	0%	0%	\$ -	0%	\$ -	100%	\$ -
38	Install 18" HDPE - Culvert #12	50	LF	\$ 51.00	\$ 2,550.00	0%	100%	\$ -	100%	\$ 2,550.00	0%	\$ -
39	Install 18" HDPE - Culvert #13	50	LF	\$ 51.00	\$ 2,550.00	100%	0%	\$ 2,550.00	100%	\$ 2,550.00	0%	\$ -
40	Install 2 X 24" HDPE - Culvert #14	70	LF	\$ 71.00	\$ 4,970.00	0%	114.29%	\$ -	114%	\$ 5,680.00	-14%	\$ -
41	Install 2 X 24" HDPE - Culvert #15	70	LF	\$ 71.00	\$ 4,970.00	0%	114.29%	\$ -	114%	\$ 5,680.00	-14%	\$ -
42	Install 18" HDPE - Culvert #16	80	LF	\$ 62.00	\$ 4,960.00	0%	100%	\$ -	100%	\$ 4,960.00	0%	\$ -
43	Perimeter Trapezoidal Downdrain	1,850	LF	\$ 100.00	\$ 185,000.00	0%	70.22%	\$ -	70.22%	\$ 129,900.00	30%	\$ -
44	Road Side V-Ditch	1,400	LF	\$ 50.00	\$ 70,000.00	0%	266.79%	\$ -	266.79%	\$ 186,750.00	-167%	\$ -
45	Bench Drainage Swales	2,690	LF	\$ 39.00	\$ 104,910.00	0%	90.07%	\$ -	90%	\$ 94,497.00	10%	\$ -
46	Top Deck Trapezoidal Ditch	650	LF	\$ 50.00	\$ 32,500.00	0%	0%	\$ -	0%	\$ -	100%	\$ -
47	Culvert Outlet Energy Dissipator	8	EA	\$ 900.00	\$ 7,200.00	0%	138%	\$ -	138%	\$ 9,900.00	-38%	\$ -
48	Recover, Place & Compact Gravel From Stockpile	1,663	CY	\$ 7.00	\$ 11,641.00	0%	18.04%	\$ -	18%	\$ 2,100.00	82%	\$ -
49	Aggregate Base For New Gravel Roads	850	CY	\$ 66.00	\$ 56,100.00	0%	202.94%	\$ -	203%	\$ 113,850.00	-103%	\$ -

Item No.	Item Description	Qty	Unit	Unit Price	Extension Price	Quantity This Period (%)	Previous Quantity	Amount Earned This Period	Quantity Complete to Date	Amount Earned to Date	Quantity Remaining (%)	Amount of Work Remaining
50	6 - Oz. Woven Geotextile	22,000	SY	\$ 0.60	\$ 13,200.00	0%	40.75%	\$ -	41%	\$ 5,379.00	59%	\$ -
51	6' Chain Link Fence	190	LF	\$ 32.00	\$ 6,080.00	0%	63.16%	\$ -	63%	\$ 3,840.00	37%	\$ -
52	Chain Link Gate - Type 1	4	EA	\$ 2,400.00	\$ 9,600.00	0%	0%	\$ -	0%	\$ -	100%	\$ -
53	Chain Link Gate - Type 2	5	EA	\$ 2,500.00	\$ 12,500.00	0%	20%	\$ -	20%	\$ 2,500.00	80%	\$ -
54	SWPPP Preparation	1	LS	\$ 3,000.00	\$ 3,000.00	0%	100%	\$ -	100%	\$ 3,000.00	0%	\$ -
55	Water Pollution Control (Directed by SWPPP)	1	LS	\$ 16,500.00	\$ 16,500.00	0%	100%	\$ -	100%	\$ 16,500.00	0%	\$ -
56	Seeding & Mulching	19	ACRE	\$ 3,200.00	\$ 60,800.00	36.16%	27%	\$ 21,984	63.16%	\$ 38,400.00	37%	\$ -
57	Seed, Straw & Jute Netting	15	ACRE	\$ 10,300.00	\$ 154,500.00	0.00%	127%	\$ -	127%	\$ 195,700.00	-27%	\$ -
58	Straw Wattles	12,500	LF	\$ 3.00	\$ 37,500.00	73.00%	23%	\$ 27,375.00	96%	\$ 36,000.00	4%	\$ -
59	Silt Fence	200	LF	\$ 3.00	\$ 600.00	0%	75%	\$ -	75%	\$ 450.00	25%	\$ -
60	Straw Bales	1	TON	\$ 697.00	\$ 697.00	0%	0%	\$ -	0%	\$ -	100%	\$ -
61	All Other Contract Work	1	LS	\$ 28,000.00	\$ 28,000.00	0%	100%	\$ -	100%	\$ 28,000.00	0%	\$ -
Original Contract Work Total					\$ 4,095,114.92	2%	1.03643	\$ 85,597.70	106%	\$ 4,329,898.84	0%	\$ -
Contract Change Order Items												
62	Excavate Saturated Soil	4,907	CY	\$ 11.60	\$ 56,921.20	0%	100%	\$ -	100%	\$ 56,921.20	0%	\$ -
63	Furnish & Install Geogrid	43,812	SF	\$ 0.44	\$ 19,277.28	0%	100%	\$ -	100%	\$ 19,277.28	0%	\$ -
64	Place Compacted Fill	4,907	CY	\$ 9.27	\$ 45,487.89	0%	100%	\$ -	100%	\$ 45,487.89	0%	\$ -
65	Relief Trench Over Exc. / Re-compact	1	LS	\$ 1,575.13	\$ 1,575.13	0%	100%	\$ -	100%	\$ 1,575.13	0%	\$ -
66	Culvert #5	1	LS	\$ 4,119.72	\$ 4,119.72	0%	100%	\$ -	100%	\$ 4,119.72	0%	\$ -
67	Liner Subcontractor Overtime Premium (7-24 through 8-4)	1	LS	\$ 15,460	\$ 15,460.00	0%	100%	\$ -	100%	\$ 15,460.00	0%	\$ -
68	Repair Damage From Rain Event (7-17)	1	LS	\$ 7,535	\$ 7,535.20	0%	100%	\$ -	100%	\$ 7,535.20	0%	\$ -
69	Credit For Reducing Depth of Relief Trenches Above Bench 4	(4,081)	LF	\$ 4.69	\$ (19,139.89)	0%	100%	\$ -	100%	\$ (19,139.89)	0%	\$ -
70	French Drains Above Bench 4	1	LS	\$ 7,557	\$ 7,557.00	0%	100%	\$ -	100%	\$ 7,557.00	0%	\$ -
71	Toe French Drains	1	LS	\$ 13,390	\$ 13,390.00	0%	100%	\$ -	100%	\$ 13,390.00	0%	\$ -
72	24" Surface Pipe Between Bench 2 & 3	1	LS	\$ 12,914.68	\$ 12,914.68	0%	100%	\$ -	100%	\$ 12,914.68	0%	\$ -
73	Remove Sediment From Basin	1	LS	\$ 2,157.00	\$ 2,157.00	0%	100%	\$ -	100%	\$ 2,157.00	0%	\$ -
74	Build 4-Wheeler Access Rd Above Borrow Area B	1	LS	\$ 253.89	\$ 253.89	0%	100%	\$ -	100%	\$ 253.89	0%	\$ -
75	12' Pipe Gate	1	EA	\$ 2,950.00	\$ 2,950.00	0%	100%	\$ -	100%	\$ 2,950.00	0%	\$ -
76	24' Double Swing Pipe Gate	1	EA	\$ 4,842.00	\$ 4,842.00	0%	100%	\$ -	100%	\$ 4,842.00	0%	\$ -
77	Additional Liner at Culvert Inlets	1	LS	\$ 32,511.45	\$ 32,511.45	0%	100%	\$ -	100%	\$ 32,511.45	0%	\$ -
78	Install Elbow at 18" Pipe Near Gabions	1	LS	\$ 614.15	\$ 614.15	0%	100%	\$ -	100%	\$ 614.15	0%	\$ -
79	Borrow Area B Riprap Rd & Rock Weirs	1	LS	\$ 3,890.99	\$ 3,890.99	0%	100%	\$ -	100%	\$ 3,890.99	0%	\$ -
80	Place 1-1/2" X 3" Rock on Rd to Gabions	1	LS	\$ 1,775.09	\$ 1,775.09	0%	100%	\$ -	100%	\$ 1,775.09	0%	\$ -
81	Terra Matrix (slope 3,500lbs/acre)	1.5	ACRE	\$ 5,175.00	\$ 7,762.50	100%	0%	\$ 7,762.50	100%	\$ 7,762.50	0%	\$ -
82	Terra Matrix (basin bottom 2,000lbs/acre)	0.50	ACRE	\$ 4,600.00	\$ 2,300.00	100%	0%	\$ 2,300.00	100%	\$ 2,300.00	0%	\$ -
Change Order Total					\$ 224,155.28			\$ 10,062.50		\$ 224,155.28		\$ -
Original Contract & Change Order Total					\$ 4,319,270.20			\$ 95,660.20		\$ 4,554,054.12		\$ -



DATE: November 8, 2012

FROM: Jill Duffy, Executive Director

SUBJECT: Item 6)
Proclamation of Appreciation

RECOMMENDED ACTION: Voice Vote
Adopt Resolution 2013-05, Proclamation of Appreciation

DISCUSSION:

This item will be brought forward at the meeting for discussion and approval by the Board of Directors.