



**HUMBOLDT WASTE
MANAGEMENT AUTHORITY**

BOARD OF DIRECTORS

Virginia Bass, County of Humboldt, **Vice-chair**
Michael Winkler, City of Arcata
Sherman Schapiro, City of Blue Lake
Linda Atkins, City of Eureka
John Maxwell, City of Ferndale, **Chair**
Melissa Marks, City of Rio Dell

AGENDA

Thursday, November 10, 2011 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) Closed Session/Report Out

- a. Pursuant to Government Code Section 54956.8 for real property negotiations re: Arcata Recycling Center Samoa Facility.

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.

- a. Receive and Review Independent Auditor's Report for Fiscal Year 2010/2011.

6) 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 Previous Meeting(s).
- b. Receive September FY11/12 Financials.
- c. Amend Purchasing Policy to Allow Use of California Multiple Award Schedules in lieu of Bidding.

- d. Authorize Purchase of a Used Skid Steer.
- 7) Approve Revised Interim Organization Chart and Classification and Pay Plans, and Designate an Interim Executive Director.**
- 8) Approve Six Month Employment Contract with J. Test to Serve as Special Projects Manager.**
- 9) Review Executive Director Recruitment Process and Provide Direction to Staff.**
- 10) Set a Date for a December Board Meeting.**
- 11) Executive Director's Report.**
- 12) Closed Session/Report Out**
 - b. Closed Session per Government Code Section 54956.9(c) potential litigation, conference with legal counsel.
 - c. Personnel, California Government Code Sec. 54957: Interim Executive Director Review.
- 13) Adjourn**



**HUMBOLDT WASTE
MANAGEMENT AUTHORITY**
Staff Report

DATE: November 19, 2011

FROM: Susan Rigge, Controller

SUBJECT: Item 5) a
Receive and File Independent Auditor's Report for FY 2010-2011

RECOMMENDED ACTION:
Receive and File Independent Auditor's Report for Fiscal Year 2010-2011

DISCUSSION:

The Authority has contracted with the firm of Demello, McAuley, McReynolds & Holland to conduct the annual audit of the Authority's financial activity. Included in this staff packet is a copy of The Authority's *Audited Financial Statements* as prepared and submitted by the firm for fiscal year 2010-2011.

The general-purpose financial statements are the responsibility of the Authority's management. The responsibility of the Independent Auditor is to express an opinion on these financial statements based on their audit. The audit was conducted in accordance with auditing standards generally accepted in the United States of America and the State Controller's Minimum Audit Requirements for California Special Districts. An audit includes examining evidence supporting the amounts and disclosures in the general-purpose financial statements and includes assessing the accounting principles used and significant estimates made by management.

The Audit is comprised of a Comparative Statement of Net Assets, Comparative Statements of Activities, and Changes in Net Assets, Statement of Cash Flows, and Notes to the Financial Statements. The opinion of the Auditor is that the basic financial statements present fairly, in material respects, the financial position of the Authority.

Partner Kimber McReynolds, will answer questions from the Board.



**HUMBOLDT WASTE
MANAGEMENT AUTHORITY**

Staff Report

DATE: November 10, 2011

FROM: Tyler Egerer, Administrative Assistant

SUBJECT: Item 6)a
Amended Minutes for September 2011

RECOMMENDED ACTION: **Voice Vote.**
Approve Minutes as Amended

DISCUSSION:

The minutes for September as presented during the October 13, 2011 contained an incorrect version of the motion establishing a Subcommittee of the Board for Strategic Planning.

The attached version of the September 2011 minutes contains the language of the motion as it was meant to be presented for acceptance. Numerous specifications to Subcommittee tasks and results from early meetings have been clearly enumerated.

These changes were intended to be noticed during the October meeting; Chairman Maxwell had, in discussion prior to acceptance of the minutes, clearly spelled out the motion as intended for passage. Acceptance of the amended minutes will assuage any doubt as to the intent of the Board in creating the Strategic Planning Subcommittee.

Attachments

September 2011 Amended Minutes



**HUMBOLDT WASTE
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Michael Winkler, City of Arcata
Sherman Schapiro, City of Blue Lake
Linda Atkins, City of Eureka
John Maxwell, City of Ferndale, **Chair**
Melissa Marks, City of Rio Dell

MINUTES

Thursday, September 8, 2011, 6:30 PM
Eureka City Council Chambers
531 K Street, Eureka, CA

Present: Michael Winkler, Linda Atkins, Melissa Marks, Mark Lovelace (alternate for Virginia Bass), Sherman Schapiro, John Maxwell
Staff: Jim Test (absent), Susan Rigge, Tyler Egerer, Patrick Owen
Legal Counsel: Nancy Diamond

1) Call to Order and Roll Call

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

2) Approve the Agenda

Boardmember Schapiro suggested switching Items 11a) and 11b), to allow for a more efficient meeting flow due to his conflict of interest in Item 11a).

Motion Lovelace/Schapiro to Approve the Agenda with Change 6 Ayes/0 Noes or Abstentions/0 Absent.

3) Board Member Reports

Boardmember Schapiro spoke of his personal experience with the e-waste event held in McKinleyville in August, and of the success of the event overall.

Chairman Maxwell spoke of his time spent at the Transfer Station during the Waste Characterization Study. He was pleased with the work being done and the information provided by staff. He spoke of the success of a variety of recent mobile events, tire recycling being made easier, the ongoing work on the food waste digester, and a ruling by the California Supreme Court clearing the way for work on the plastic bag ordinance discussed by the Board a few months prior.

Boardmember Lovelace expressed his appreciation to the people who put together and provided their prospective at the Zero Waste Forum in mid-August. He was pleased with the information provided by stakeholders from outside the County. Boardmember Lovelace also applauded the food waste digester project. Based on discussions in other areas of the nation, food waste seems to be on the cutting edge of diversion, and he is glad to see local endeavors well on their way to completion.

Boardmember Schapiro clarified some numbers from last meeting's report on the Waste Characterization Study; some confusion existed about what part of the make-up of the trash was actually food waste. Staff confirmed that 20% of the total 66% waste disposal was food waste, while the remainder belonged to other types of recoverable material.

4) Oral and Written Communications

There was No Oral or Written Communications.

5) Consent Calendar

- a. Approve Minutes from Previous Meeting(s).
- b. Receive June FY 10/11 Financials.
- c. File Notice of Completion and Release Retention for Landfill Gas Project.
- d. Approve an Extension to the Agreement with Eel River Disposal for Transportation.
- e. Authorize Purchase of a Forklift

Boardmember Atkins Pulled Item 5a).

Motion Schapiro/Winkler to Approve Balance of Consent Calendar 6/0/0.

Item 5a) will be Continued to the Next Meeting, due to lack of quorum of attending members or alternates. Changes to Item 5a) will also be made such that Jane Woodward, Arcata resident, is no longer incorrectly identified as being from Eureka.

6) Review and Approve SWoW Contract Amendment Number 1 Regarding Reimbursement Payments.

Patrick Owen, acting Executive Director, spoke of SWoW's request shortly after contract negotiations to spread the reimbursement of RFP expenses over the life of the five-year agreement. Mr. Owen noted that staff was happy with the plan, which allows SWoW to avoid paying for any years they may no longer be needed due to the negotiations for the ACRC Samoa Facility.

Boardmember Schapiro asked what criteria existed to allow the Authority to recover the full payment of the RFP expenses if necessary. Regarding changes to the contract itself, Legal Counsel noted that only termination could affect the proposed amendment. Boardmember Schapiro worried about the event that SWoW would terminate the agreement and renegotiate a new contract after. Legal Counsel supported staff's finding, and the stance of SWoW, stating that the potential successful negotiation of the Samoa Facility greatly reduces the likelihood that the original five-year contract will be necessary. Prorating the payments for RFP expenses allows SWoW to fairly reimburse the Authority for the amount of time in which it operates.

Boardmember Lovelace asked whether amortizing the payment was sensible in relation to the nature of the expense; a one-time expense payment should result in a one-time reimbursement. Mr. Owen noted that, while repayment of RFP expenses is normal in a case like this, reopening negotiations that would ultimately nullify the agreement is not. Legal Counsel again noted that termination of the agreement was always in the original contract, just unlikely; with the reopening of negotiations for the Samoa Facility, the situation has greatly changed. Mr. Owen suggested that, with the costs for the RFP already incurred, setting up any type of payment plan was the next necessary step.

Boardmember Marks questioned the payback method for the amortized rate. Legal Counsel stated that the \$11,900 would be payable per year, at the beginning of the year.

Chairman Maxwell Opened the Floor to Public Comment.

Jane Woodward, Arcata resident, noted that the Board authorized purchase negotiations with ACRC before approving the agreement with SWoW, meaning that all parties knew negotiations were going to happen before a recycling agreement would. Staff confirmed the order of the items in the July minutes.

Gerry Ward, Owner of SWoW, spoke of the original five-year deal, and the assumed 7,000 tons of recyclables to be collected on a yearly basis. With half the County and the Cities of Blue Lake and Arcata now out of the agreement, and the potential purchase of the Samoa Facility looming on the horizon, the trust in a set five-year deal is slowly going away. He spoke of the difficulties of funding an expansion to his facility when actual tonnage numbers are so severely dropping off, the accommodations his company has made to the Board during this difficult period making their decision, and the matter of

fairness in working with business partners in the course of a rapidly changing environment.

Chairman Maxwell Closed the Floor to Public Comment.

Boardmember Lovelace spoke of the need for a one-time payment to cover a one-time expense, but admitted the circumstances of the situation bear consideration.

Boardmember Marks felt that SWoW had been patient through the entire decision process, especially when the issue was less clear-cut than it is now. She favored the amendment.

Boardmembers Atkins, Winkler, and Schapiro all voiced similar support, given the situation.

Chairman Maxwell spoke of the changing assumptions in the process, and of SWoW's patience, fairness, and good faith efforts.

Motion Schapiro/Lovelace to Approve SWoW Contract Amendment Number 1 Regarding Reimbursement Payments 6/0/0.

7) Authorize Staff to Initiate a Strategic Planning Project, Authorize Creation of a Planning Advisory Committee, and Authorize Distribution of an RFP to Solicit Planning Assistance.

Patrick Owen, acting Executive Director, reviewed the history of strategic planning at the Authority, noting that work at the staff level has been started in a couple instances, and that some written planning exists. This past year, he continued, shows the need for real strategic planning to take place. Mr. Owen pointed out various public concerns on the current recommendation, but noted that the Board has time to refine the process and receive public input, as the overall process may take 2-3 years.

Mr. Owen feels strongly that an outside consultant is necessary, and should be hired as early on in the process as possible. He suggested that the member agencies recommend representation from their respective jurisdictions. He spoke of past experience with obtaining public input, and the inherent difficulties in doing so. He is hoping that a variety of methods for obtaining input will be used to accumulate a statistically significant representation of the County.

The Board discussed various facets of the current state of the Authority's strategic planning, with Mr. Owen noting again the public's criticism of the current strategic plan.

Boardmember Schapiro noted that the last time planning was started it was interrupted by the fuel crisis. Other Boardmembers expressed the continuing nature of public comment in recent months to urge the Board to begin strategic planning.

Chairman Maxwell Opened the Floor to Public Comment.

Byrd Lochtie, of the League of Women Voters, read into the record a letter from her organization. That letter is appended to and made part of these minutes.

Jane Woodward, Arcata resident, read into the record her position on the subject. That letter is appended to and made part of these minutes.

Mark Loughmiller, Arcata resident, spoke of the makeup of the advisory committee, and his past experiences working with such bodies. He urged the Board to have market representation, not just the public.

Chairman Maxwell offered his take on the plan, which would include haulers as a subset of the workshop discussions leading up to the formation of the PAC, and asked Mr. Loughmiller if he was suggesting that the haulers stay involved as members of the PAC itself, which Mr. Loughmiller confirmed.

Boardmember Schapiro asked Mr. Loughmiller to confirm that the addition of such a different dynamic increases input in planning efforts, which he did. In addition, Mr.

Loughmiller suggested using applications to obtain PAC committee members which would be committed to serving.

Brian Sollom, of Humboldt Sanitation, spoke in favor of strategic planning, and urged the Board to get haulers and processors involved, seconding the suggestions of Mr. Loughmiller. He stated that hauler input would be vital in moving forward.

Jane Woodward, Arcata resident, spoke of the benefits of having both the public and private sectors involved, and urged the Board to include professionals in the PAC.

Chairman Maxwell Closed the Floor to Public Comment.

Patrick Owen, acting Executive Director, noted that the current plan includes a meeting with the local haulers, as staff also sees the benefit of obtaining their input on the subject.

Boardmember Atkins spoke of the importance of the PAC. She urged the Board to step back and figure out what it is that Board wants for the PAC, and then let it establish the RFP. She spoke of the difficulties of giving all jurisdictions one representative due to the size and impact on each, and expressed her desire to see a better setup for the PAC.

Boardmember Marks expressed her desire for earlier public input in the process, and preferably to see a scoping session before the RFP is created. She would also like to see some scoring preferences for local companies in the final RFP.

Boardmember Lovelace thanked the public and the haulers in attendance for their input. He thinks the outline for the PAC as provided by staff is good, but still needs some work especially in regards to public input. He thinks that smaller steps to begin the planning process would help, and believes establishing a subcommittee of the Board to follow the PAC through the course of strategic planning would be a reasonable move. The subcommittee would be responsible for directing all parties involved in the PAC, establishing goals, determining meeting styles and consultant qualifications, and reporting to the Board as a whole in November.

Boardmember Schapiro spoke of the need for, at least, minimal direction for the PAC, to avoid a free-for-all.

Boardmember Marks noted that the information provided was too much to process in one week; she urged study sessions and workshops in the coming months to better prepare for improved strategic planning. She also spoke of the retirement of Executive Director Test, and the need to prepare for the potential problems that might crop up with his leaving.

Boardmember Maxwell thanked the Board, the public, and the haulers for their input. He spoke briefly of his desire to begin discussion of this subject at the current meeting, which could explain some of the potential holes in the plan as presented by staff. He expressed strong support for a workshop prior to further work, and the Board unanimously agreed that an outside consultant would best assist staff in continuing work on strategic planning.

Motion Lovelace/Schapiro to Appoint Strategic Planning Subcommittee of the Board, Comprised of Two Members, and to Direct the Subcommittee to Work with Staff, Member Agencies and Interested Parties to Schedule at Least One Facilitated Public Workshop to Review the Proposed Process and the RFP and return to the Board with Recommendations at its November Meeting. Specific Issues to be Considered Shall Include, but not Limited to;

- Makeup of the Planning Advisory Committee
- Schedule and conduct of Planning Advisory Committee meetings
- Qualifications for the consultant
- Ongoing role of Strategic Planning Subcommittee and Planning Advisory Committee

Motion Carries, 6/0/0.

Mr. Owen noted that a facilitated workshop could most likely take place in the first or second week of October, and that Maureen Hart, one of the Authority's consultants, had offered her services as facilitator.

Boardmember Marks addressed Mr. Ward of SWoW, asking if he had any experience to add to the discussion. Mr. Ward noted his 41 years of experience in Mendocino County and his efforts in a variety of strategic planning activities. He spoke of the importance of getting input from the haulers, and urged the Board to find the needs of the public and handle them.

The Board discussed what the final RFP would look like; Boardmember Lovelace clarified his position that the RFP as presented in this Item would be a blueprint for further work, and that the workshop and PAC processes would hammer out the finer details of the RFP.

7b) The Board discussed the selection of the members for the subcommittee. Boardmember Lovelace offered up himself and Boardmember Bass, while Chairman Maxwell expressed his interest, but would not offer himself unless the Board agreed to such.

Motion Lovelace/Schapiro to Appoint Chairman Maxwell and Boardmember Winkler as Subcommittee 6/0/0.

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

Chairman Maxwell Closed the Floor to Public Comment.

8) Approve Distribution of Additional AB939 Funding.

Patrick Owen, acting Executive Director, spoke of the one-time grant of funds to all the member agencies, effectively doubling their funding for the coming year. As the original formula for calculating AB939 fees did not involve actual tonnage amounts received, the consistent decline in waste tonnages has increased the disparity between the outlay of AB939 funds and the ability of the tipping fee to cover those funds. This doubling of current funds would allow member agencies to put diversion programs into place before AB939 funds began to decrease with actual waste tonnage amounts.

Chairman Maxwell noted that the process would be a "soft landing" for member agencies, which have been notified that in following years AB939 will follow tonnage rates more accurately.

Chairman Maxwell Opened the Floor to Public Comment.

Maureen Hart, recycling consultant, urged the Board to consider the challenges of funding integrated waste management. She noted that various methods are being enacted around the state, and that strategic planning should include the study of these methods.

Chairman Maxwell Closed the Floor to Public Comment

Chairman Maxwell spoke of his hope that this grant of extra funds would spark numerous projects, and reminded the Board that future grants are always a possibility, dependent on need.

Motion Schapiro/Atkins to Approve Distribution of Additional AB939 Funding 6/0/0.

9) Review Potential Changes to the JPA Agreement and Provide Direction to Staff.

Patrick Owen, acting Executive Director, spoke of the difficulties of continuing with negotiations at the Samoa Facility without having established flow control over recyclable materials. The food waste digest project would benefit in similar ways; designed to avoid competition with existing products – like biodiesel – establishing flow control would give the Authority a solid foundation for moving forward with production of a digest facility.

Legal Counsel brought forth potential issues of conflict of interest in the upcoming discussion. Boardmember Schapiro expressed his desire to discuss food waste, but noted his conflict with recycling. Boardmember Lovelace believed that conflict may be premature, as

the nature of the Item suggests that the decision is solely to fast track language for another meeting, not decide for or against the outcome of the fast tracking.

Boardmember Schapiro excused himself at 8:36 p.m., citing conflict of interest.

Mr. Owen reviewed the other changes that could potentially be made to the JPA earlier than the end of strategic planning – such as redefining the purpose of the Authority’s Executive Committee.

Boardmember Marks asked how her jurisdiction would be affected, in regards to the City of Rio Dell working with a satellite facility. Mr. Owen and Legal Counsel explained that, as solid waste flow control was handled at the formation of the Authority, so to would recycling contracts be handled as they came up for renewal; with flow control established, municipalities would agree to move recycling tonnages through the Authority.

Chairman Maxwell spoke of the desire for coordination of activities, and the protection of the Authority’s interests in recyclables handling.

Boardmember Lovelace noted that the action called for requires the member agencies to exert flow control, not the Authority. Legal Counsel clarified that the member agencies would be asked to promise their tonnages to the Authority, much as they do now with solid waste. Since the Authority does not enter into franchise agreements for its member agencies, it is at the discretion of the agencies to assist with maintaining flow control.

Boardmember Winkler worried about the potential of member agencies to lose control of their recycling tonnages should absolute flow control be established. Legal Counsel confirmed that if flow control was given to HWMA and the Samoa Facility was not purchased, member agencies may be mandated to give their tonnages to Authority-approved recyclers, such as SWoW. Boardmember Winkler suggested that any changes proposed be tied to the eventual success or failure of the negotiations for the Samoa Facility.

Chairman Maxwell Opened the Floor to Public Comment, as regards flow control of curbside recyclables.

Chuck Schager, of Eel River Disposal, spoke of the difficulties of obtaining flow control on recyclables. Unlike solid waste, the eventual threat of recyclables flow control on more than just curbside makes it incredibly difficult for jurisdictions to exercise flow control.

Brian Sollom, of Humboldt Sanitation, spoke against establishing flow control, speaking directly to the issue of the Authority placing itself in direct competition with private haulers. He urged the Board to consider the further loss of jobs establishing flow control would cause, and spoke to the ability of the private sector to both efficiently and effectively handle recyclables processing.

Jane Woodward, Arcata resident, expressed confusion at the issues at hand. She noted that flow control would be necessary to buy the Samoa Facility, but did not want the increased competition to spur job loss elsewhere. She urged the Board to deal with the issue in context with their goals, and defer fast tracking this part of the JPA.

Chairman Maxwell Closed the Floor to Public Comment.

The Board discussed the various benefits and detriments of fast tracking the subject of flow control. All agreed that they would like time to discuss the topic with members of their staff, especially as regards the effects of flow control on member agencies and franchise contracts, and potentially continue the Item to the October or November meeting.

Motion Winkler/Atkins to Direct Staff to Provide Proposed Language for Curbside Recycling in JPA, and Direct Staff to Provide Impact on Contracts Allowed to Member Agencies if Flow Control Exists 5/0/1.

Chairman Maxwell called a five-minute break at 9:11 p.m. Boardmember Schapiro returned to the Board at the end of the break.

9b) Patrick Owen, acting Executive Director, reiterated the need for flow control over food waste, citing many of the same reasons used for recycling flow control. He noted that, unlike, recyclables, food waste is not a very lucrative commodity, and would be easier to establish control of for the sake of diversion and for its benefits to the community.

Boardmember Marks asked whether or not oil would be listed as a flow-controlled commodity. Mr. Owen indicated that the Authority had no interest in interfering with products that already have uses in the County, such as oils for biodiesel, and as such would not be listed in the JPA.

Boardmember Schapiro questioned if there would be any discrimination of food waste beyond staying out of competition. Staff stated their desire to take in all food waste beyond those items not being used.

Juliette Bohn, Programs Analyst, spoke further of staff's preference not to interfere in other markets. Much of the waste being looked at has no value to anyone else, and is specifically in need of being diverted from the waste stream.

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

Chairman Maxwell Closed the Floor to Public Comment.

Boardmember Marks discussed the issue of being able to discuss Closed Session items with alternates, for the sake of remaining informed on the status of items when a Boardmember is unable to attend a meeting. The Board briefly discussed the issues of the Executive Committee, and language cleanup that could eliminate those issues.

Motion Lovelace/Marks to Continue Item, and Direct Staff to Bring Back Proposed Language Changes for In-Depth Discussion, and to Bring Language of Cleanup of Executive Committee and Closed Session Brown Act Portions of JPA 6/0/0.

10) Executive Director's Report.

Mr. Owen reviewed a letter from Jud Ellinwood, of Eureka, relating to comments about the HWMA website. He noted that almost all of the suggested changes had been implemented, and that all were good suggestions.

The Authority received a letter of thanks from Humboldt County Code Enforcement for an outlay of funds to assist their operation.

AB818, the renter's right to recycling, mandates that multi-unit residences must provide recycling services to their tenants, unless such provision is economically infeasible.

HHW and E-Waste mobile events in the past few months have met with much success. McKinleyville hosted 375 cars in a cost share HHW event, and over 600 at their recent E-waste event. Similar success in HHW events has been seen in Rio Dell, Ferndale, and with St. Bernard's school, which was saved thousands of dollars in shipping costs by the HHW department.

Mr. Owen touched briefly on his take of the Zero Waste Forum, which he thought provided a number of good insights and educational opportunities for the County.

Waste Management has contacted staff regarding an extension of its Anderson Landfill contract. Mr. Owen notes the biggest issues currently are the disposal limits set for both Anderson and Dry Creek landfills, and the potential of moving from two landfills to one.

11) Closed Session/Report Out

- b. Closed Session per Government Code Section 54956.9(c), potential litigation, conference with legal counsel.
- a. Pursuant to Government Code Section 54956.8 for real property negotiations re: Arcata Recycling Center Samoa Facility. HWMA negotiators: Board Chair Maxwell, Board Member Bass, Executive Director, General Counsel.

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

Chairman Maxwell Closed the Floor to Public Comment.

The Board Adjourned to Closed Session at 9:43 p.m.

No Report Out was made on either Item of the Closed Session proceedings.

12) Adjourn

Chairman Maxwell Adjourned the meeting following Closed Session.

Next Meeting: October 13, 2011 at 6:30 at Eureka City Hall Council Chambers.

COMMENTS FOR 9/8/11 HWMA MEETING

First, I'd like to applaud HWMA staff for presenting a strategy for addressing the strategic planning issues laid out in the June and July 2011 meetings, and for providing for a public planning advisory committee to provide citizen input. I have, however, several concerns:

1) I concur with Jud Ellinwood that it would be useful to provide a means of public input prior to finalizing the strategic planning process and RFP. This agenda and backup materials have been available for barely a week, providing little time for useful consideration and input from the public. The RFP appears as a "fait accompli." Jud recommended holding a forum. It might be sufficient to simply schedule a public hearing to present and discuss the issues. It would certainly be useful to bring into consideration the information gleaned from the recent recycling forum.

2) I did not note any proposed language changes in the JPA agreement as regards recycling authority. If they were there, it would have been useful to have highlighted them for the benefit of both the Board and the public.

3) In the proposed RFP, the proposer (required to be a company vs. an individual consultant) is required to have five years of prior experience providing integrated waste management services with a minimum of three integrated waste management projects in the last five years, and be knowledgeable of the Authority service area. At the same time, "the proposer shall not have performed work for nor had any financial transaction with any company that has, is, or may provide integrated waste services in the Authority's service area." These two requirements both effectively eliminate any *individuals* (vs. companies) potentially able to provide the required services, as well as any local companies or groups specializing in providing planning vs. purely integrated waste management services. We should be looking for a top planning consultant, regardless of their expertise in integrated waste management. This RFP looks like it's targeted specifically to Intelliwaste, basically eliminating local planning and recycling and waste management expertise. It is inappropriate to preselect. It would be useful to know what potential proposers have been identified to date that meet these limiting criteria.

4) The RFP should require attendance at all Public Advisory Committee meetings plus allow for providing periodic updates to the PAC regarding planning progress.

I hope that the HWMA Board will consider these issues and ensure that public input occurs before important decisions are made limiting the alternatives considered. Thank you for your consideration.

Jane Woodward
707/633-6060 janepwoodward@aol.com
1014 Diamond Drive, Arcata CA



THE LEAGUE OF WOMEN VOTERS OF HUMBOLDT COUNTY

P. O. Box 3219, Eureka, CA 95502-3219
vote@lwvhc.org

(707) 444-9252
www.lwvhc.org/vote

John Maxwell, Chair
Humboldt Waste Management Authority
1059 W. Hawthorne
Eureka, CA 95501

September 7, 2011

Dear Chair Maxwell and Members of the Board:

It has come to the attention of the League of Women Voters of Humboldt County that the Humboldt Bay Waste Management Authority is preparing to create a strategic plan. The League, a nonpartisan political organization, encourages informed and active participation in government. The League has long held an interest in public participation, transparency and good governmental procedures.

According to news reports, governmental agencies in our county seem to generate dissatisfaction and controversy when citizens feel they have not had an opportunity for input early in the process. Individuals and entities are more likely to accept a document's goals, objectives and implementations when they feel they have had legitimate input to the plan.

The League suggests that every effort to avoid such conflicts should be built into the process as you prepare to develop your strategic plan. Prevention, in the long run, is easier and is preferable to seeking a cure.

We urge your board to involve public participation from the outset, to set the parameters for the process and then give direction to your staff in developing your strategic plan. An open process from the beginning, with input from your respective members, the public and staff, will enhance the possibility of achieving consensus on a document acceptable to the community.

The League often invokes the slogan "Make Democracy Work." You have an opportunity to put those words into action.

Sincerely,

Handwritten signature of Nan Nieboer in cursive.

Nan Nieboer, President
League of Women Voters of Humboldt County

Handwritten signature of Kay Escarda in cursive.

Kay Escarda
LWVHC Action Chair



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MINUTES

Thursday, October 13, 2011, 6:30 PM
Eureka City Council Chambers
531 K Street, Eureka, CA

Present: Michael Winkler, Linda Atkins, Melissa Marks, Virginia Bass, Michele McCall-Wallace (alternate for Sherman Schapiro), John Maxwell
Staff: Jim Test, Susan Rigge, Tyler Egerer, Patrick Owen
Legal Counsel: Nancy Diamond

1) Call to Order and Roll Call

Chairman Maxwell called the meeting to order at 6:30 p.m. A quorum was present and acting. Boardmember McCall-Wallace arrived shortly after roll call.

2) Approve the Agenda

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

Chairman Maxwell Closed the Floor to Public Comment.

Motion Bass/Atkins to Approve the Agenda 6 Ayes/0 Nays & Abstentions/0 Absent.

3) Board Member Reports

Boardmember Bass thanked the Board's alternates for their work in keeping a full Board in attendance at each meeting, notably Supervisor Lovelace for his last minute assistance at the previous meeting.

Boardmember Marks requested two items be added to next month's agenda; first, a discussion of whether or not public funds can be used to cover the expenses for a holiday party; and second, a discussion of direction to staff to begin recruitment of a new Executive Director, in light of Executive Director Test's impending retirement in January.

Boardmember Winkler further requested that an Interim Executive Director be appointed at the next meeting.

Chairman Maxwell provided a brief update on the Strategic Planning Subcommittee. He read into record the motion made by Supervisor Lovelace at the previous meeting which established the subcommittee, for the purpose of correcting wording in the September minutes. Working with Karen Sherman, Senior Programs Analyst, the committee has selected Terry Uyeki as facilitator of a workshop aimed at gathering as much input from interested stakeholders prior to further strategic planning work commencing. Mr. Maxwell noted that means to participate in the workshop will be made available as the date of the meeting nears. The meeting will be held on November 17th at the Aquatic Center in Eureka.

Chairman Maxwell also touched on the operative abilities of the chair, noting that many of the items discussed at the previous meeting were placed there by his suggestion. In addition, requests for the creation of a public committee aimed at providing public input on any type of topic have yet to appear on the agenda, as Mr. Maxwell believes that the

public has ample opportunity to provide their input during Item 4, Oral and Written Communications, during each meeting of the HWMA Board.

4) Oral and Written Communications

Sean McLaughlin, Executive Director of Access Humboldt, congratulated the Board for choosing to air their meetings through his organization. He noted the importance of the decision, giving the community a venue for engaging in the Authority's activities. He provided a brief background of Access Humboldt, spoke about airtimes and archival access to previous recordings of meetings, and urged the Board to contact him if they had any questions or comments on Access Humboldt's activities.

5) Consent Calendar

- a. Approve Minutes from Previous Meeting(s).
- b. Receive July and August FY11/12 Financials.
- c. Approve Change Order No. 8 for Golder Associates.

Boardmember McCall-Wallace Pulled Item 5a).

Motion Winkler/Atkins to Approve the Balance of the Consent Calendar 6/0/0.

Item 5aJuly):

Boardmember Marks questioned comments made by the public regarding noncompetition by the Authority with private enterprise. Chairman Maxwell noted the location of the passage; Executive Director Test confirmed.

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

Chairman Maxwell Closed the Floor to Public Comment.

Motion Atkins/Winkler to Approve Item 5aJuly 4/2/0. Boardmembers Marks and McCall-Wallace abstained.

Item 5aSept):

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

Chairman Maxwell Closed the Floor to Public Comment.

Motion Bass/Marks to Approve Item 5aSept 5/1/0. Boardmember McCall-Wallace abstained.

6) Review Potential Changes to the JPA Agreement and Provide Direction to Staff.

Executive Director Test presented proposed updates to the JPA in the immediate future, which is designed primarily to establish flow control on two material streams not yet under the purview of the Authority; recyclable materials and food waste. In addition, various definitions were revised to reflect modern usage of the terms defined, and language regarding the activities performed by the Executive Committee was updated to reflect current Authority operating procedures.

Mr. Test described the method for approving the changes, which would require both adoption by the Board and approval by each of the member agencies. He then began a page by page breakdown of the changes to the document. Many of the changes reflected the changes made to definitions; noting recycling in places where only waste was originally mentioned; and reclassifying General Manager as Executive Director.

Boardmember Marks questioned the exact effects of flow control language on member agency contracts with franchise haulers. Legal Counsel explained that contracts currently in force would not be affected if flow control were granted to the Authority; only new contracts, or contracts reopened in the future would be required to grant their materials to the Authority.

Boardmember Winkler discussed questions asked by his city staff. Regarding diverting materials to local businesses, Executive Director Test stated his desire not to limit flow

control to simply disposing of all materials; where materials can assist local business in their operation, he assumes the Board would not want it to be disposed of – a practice that is already possible in the Authority’s current operations. In regards to forcing Member Agencies that don’t agree to the establishment of flow control, Mr. Test stated the process outlined above for approval of the changes would require not only unanimous consent of the Board, but of the Member Agencies as well.

Executive Director Test briefly discussed the section of the JPA involving the Executive Committee, noting that he would be meeting with the City Managers and County CAO to discuss their involvement in the future of the Authority. He intends for the Board to discuss changes to the section at the November meeting.

The Board briefly discussed the section of the JPA which covers non-competition, noting that it applies chiefly to competition with Member Agencies, and only until such time as a Member Agency has a contract which expires or is reopened. Mr. Test also noted that, at the urging of members of the Board, language involving regionalization was reintroduced into the section covering possible future responsibilities.

Executive Director Test, and Member Agency Staff, have both noted artifacts in the Board voting sections which need to be updated to reflect a more modern and functional model. This will allow a majority of the quorum (3 members) to vote on regular items, instead of a majority of the Board (4 members).

Legal Counsel led some discussion regarding Closed Session information sharing between a Boardmember and their alternate. Due to the specific nature of section 54956.96 of the Brown Act, as regards JPA’s, it is possible for Boardmembers to talk to their alternates, but only if that alternate will be attending the next meeting of the Board in place of the regular Boardmember. In addition, discussions in reverse – that is, the alternate discussing Closed Session information with their Boardmember – are not allowed.

The Board discussed terms of withdrawal, as regards existing obligations. Executive Director Test briefly discussed the results of the City of Fortuna withdrawing from the Authority, and the payout that was made to the City for landfill closure payments.

The Board also discussed the list of designated facilities, which are recognized as locations through which the Authority may exert flow control over its waste streams. Executive Director Test noted that the Authority has the final say on where a Member Agency’s waste will be taken for disposal, and that Authority staff consider financial and environmental factors for each Member Agency on a case-by-case basis.

Boardmember Atkins questioned whether it would take a full rewrite of the JPA to add new facilities; Executive Director Test stated that such changes would be handled with a minor amendment to the Exhibit listing designated facilities, which is a much quicker process.

Boardmember McCall-Wallace asked for specific references to recycling prior to the changes presented with this Item. Executive Director Test noted the Purpose and Section 3.1, Item 2, of the JPA as the two places where recyclable materials are mentioned prior to any changes.

Boardmember Winkler requested that the JPA explicitly state the ability of the Member Agencies to remove materials from flow control for local use. He further requested that language be included to indicate that the JPA goes into effect only with unanimous acceptance. He noted that the City of Arcata wants their materials to be processed through an owned or accepted local processor, and that without such an option it will be difficult to determine what action the City will take. Executive Director Test noted the

inherent difficulty of deciding which course of action to take first; establishing flow control, or moving forward with a project that requires flow control to be sustainable. **Boardmember Atkins** requested confirmation that voting requirements were being toned down, not up, and due to some confusion between changes listed and topics discussed during the night. Executive Director Test pointed to Sections 2.2 and 6.5 as the causes of the confusion, and confirmed that unanimous consent on most matters was not being considered.

Chairman Maxwell Opened the Floor to Public Comment.

Brian Sollom, of Humboldt Sanitation, spoke to the issue of flow control. He noted its benefit in the handling of solid waste, which allow for a costly material to be disposed of responsibly for the public benefit. As regards recyclable materials, he urged the Board not to seek flow control. Commodity streams, he states, should be the domain of private enterprise. Flow control hurts private business, and is potentially harmful to consumers. He urged the Board to let private business operate independent of government control.

Chairman Maxwell Closed the Floor to Public Comment.

Boardmember McCall-Wallace spoke about her council's discussion of the items in consideration. She noted her council's confusion about why many of these changes are being considered before strategic planning occurs. Blue Lake chose to have ACRC handle their recyclables, rather than SWoW, and establishing flow control would take that choice away from them. She suggested that this might not be the best course to follow in the immediate future.

Boardmember Atkins noted that some changes (such as regionalization) were good, but that rushing other parts could be problematic. She suggested that strategic planning should happen before flow control is decided on.

Boardmember Winkler urged more review, and more fleshing out of the suggested changes.

Boardmember Bass pondered the potential effects of the proposed changes in the future; Boardmember Atkins suggested adding a local preference to the final language to help ease worries.

Boardmember Marks noted again the importance of hiring an Executive Director earlier rather than later with the severity of the issue at hand.

Chairman Maxwell spoke of the Authority's role as a market participant. He noted the good faith effort needed to recognize local private work, and that flow control would allow the Authority to act as a flow coordinator for its Member Agencies. Chairman Maxwell touched on the benefits of flow control, especially as regards the food waste digester program, another project that makes flow control necessary. He believes that the decision the Board makes on establishing flow control early drives strategic planning.

Direction to staff ultimately focused on reworking language regarding the Executive Committee, finalizing regionalization language, and looking at current language as regards food waste. More work will be brought to the Board in November.

Boardmember Bass noted that the date of the strategic planning workshop is set for the 12th anniversary of the creation of the original Waste Authority.

Chairman Maxwell Called a Break at 8:22 p.m. The Board reconvened at 8:33 p.m.

7) Authorize Staff to Purchase a New Caterpillar 950 Front-end Loader through the CMAS Pre-negotiated Agreement.

Executive Director Test noted that the Caterpillar 950 is one of most important pieces of machinery on the Authority's Tip Floor. He talked about the significant number of hours

that have been put on the machine in a short time, and the increased maintenance costs of late which suggest that replacing the equipment may be the more economical solution. **Patrick Owen, Operations Manager**, spoke of the pricing structure through CMAS, which sets pre-negotiated prices backed by the State. Due to the unique nature of the CMAS program, the Board would be required to waive their current purchasing policy to allow for the purchase of a 950 through this program.

Boardmember Marks asked about fuel system for the machine, and whether or not it meets current regulations. Mr. Owen confirmed that the equipment in question is fully up-to-date regarding regulations and operations standards.

Chairman Maxwell noted that the local provider of equipment, Holt of California, is not actually listed as an available provider in the CMAS program, but is recognized by the program as a viable provider. He approved of the widely used, State-backed program, as did Boardmember Winkler.

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

Chairman Maxwell Closed the Floor to Public Comment.

Boardmember Bass asked whether staff had planned for a trade-in value on the current 950. Mr. Owen noted that budget figures had included the full price for a replacement; although Tip Floor staff would have liked to keep the old 950, space considerations at the Transfer Station make it hard to keep an older piece of equipment that won't see much run time.

Boardmember McCall-Wallace worried that staff's recommendation was a significantly large enough change to ignore, and that the precedent being set could lead to complications in the future. Executive Director Test assured the Board that this was a one-time waiver, and that the CMAS program is essentially an open bid process designed at achieving the best possible price.

Boardmember Atkins suggested allowing the waiver one time, and directed staff to consider language improvements to the Board's purchasing policy that allow for the specific use of the CMAS program for future purchases.

Motion Bass/Winkler to Authorize Staff to Purchase a New Caterpillar 950 Front-end Loader through the CMAS Pre-negotiated Agreement 6/0/0.

8) Authorize Staff to Purchase a Security Camera System.

Patrick Owen, Operations Manager, explained the need for a new camera system at the Transfer Station. He cited numerous thefts, non-paying customers, and hidden hazardous waste loads that could all be better managed with better surveillance. The system would allow employees to keep track of customers, business partners, and various loading activities around the facility, and reduce ambiguity in customer complaints.

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

Chairman Maxwell Closed the Floor to Public Comment.

Boardmember Marks questioned what other companies had been asked to bid. Mr. Owen listed several, citing Holmes Security as a best local value.

Motion McCall-Wallace/Winkler to Authorize Staff to Purchase a Security Camera System 6/0/0.

9) Executive Director's Report.

A Programs Update was presented, outlining a variety of activities being undertaken by Programs staff. A copy of the outline is appended to and made part of these minutes. Executive Director Test touched on some of the more critical aspects of the outline; a pilot composting project using EPA grant funds, in partnership with Hambro; curbside

recycling efforts for the City of Trinidad; and CFL/Fluorescent Tube recycling in partnership with PG&E.

Operations activities include repainting of the Bird Room at the Transfer Station; general cleanup efforts at the Transfer Station; and an update on SWoW transfer and processing of recyclables, which is seeing a daily shipment of 15 tons out of the Transfer Station. The Authority will be receiving \$12.12 per ton for recyclables in the next quarter.

Food waste collection at HSU is beginning to increase, with plans to incorporate the food waste into the composting pilot project at Hambro's Arcata site. Staff is working to get the pilot up and running as soon as possible, as food waste is currently still being disposed of on the Transfer Station Tip Floor.

Chairman Maxwell noted a strategic planning seminar attended by Karen Sherman, Senior Programs Analyst. Executive Director Test confirmed that she was pleased with the results of the seminar and will be using much of the information to propel the Authority's strategic planning forward.

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

Chairman Maxwell Closed the Floor to Public Comment.

10) Closed Session/Report Out

- a. Personnel, California Government Code Sec. 54957: Executive Director Review.
- b. Pursuant to Government Code Section 54956.8 for real property negotiations re: Arcata Recycling Center Samoa Facility. HWMA negotiators: Board Chair Maxwell, Board Member Bass, Executive Director, General Counsel.
- c. Closed Session per Government Code Section 54956.9(c), potential litigation, conference with legal counsel.

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

Chairman Maxwell Closed the Floor to Public Comment.

No Reportable Action was Taken on Item 10)a.

No Reportable Action was Taken on Item 10)b.

No Reportable Action was Taken on Item 10)c.

11) Adjourn

Chairman Maxwell Adjourned the Meeting to Closed Session at 8:56 p.m.

Next Meeting: November 10, 2011 at 6:30 p.m. at Eureka City Hall Council Chambers.

Executive Director Report – Staff Activities, October 2011

Programs Department

- Working on permitting and lease of a portion of HAMBRO's Humboldt Flakeboard site in Arcata, for pilot food waste composting operation; staff hopes to bring the proposed lease and operating agreement to HWMA Board at November 2011 meeting
- Submitted CalRecycle grant application on behalf of County for curbside recycling rolling carts in McKinleyville, Westhaven and Trinidad. Grant targets new curbside recycling programs; \$177,000 grant request. In December, 2011 CalRecycle will ask selected candidates to submit a full proposal. Grants are awarded in April, 2012.
- Mobile Household Hazardous Waste and Electronic Waste Collection event, held at Blue Lake Casino parking lot, October 8, 2011. 73 loads received of hazardous waste, 140 loads of electronic waste.
- Planning underway for Waste Tire event, to be held in November, at old Mill A, Town of Scotia
- Continuing to work with CARE non-profit on pilot collection and recycling of used carpet for rural California counties, including Humboldt County, thru AB 2398, Extended Producer Responsibility law passed September 2010
- Tracking recent court decisions on local plastic bag bans, including Marin County's ordinance
- Reviewing recent passage of AB 341, which increases statewide waste diversion goal to 75%, including mandatory recycling provisions for commercial and multi-family dwellings
- Working with Board strategic planning subcommittee to select facilitator and plan for public workshop on HWMA strategic plan, to be held in Eureka area in mid-November 2011
- Collected electronic waste from CalTrans employees, October 11, 2011
- Revisited all 12 retail drop-off locations for used fluorescent lamps in Humboldt County, including two new locations – Valley Lumber in Ferndale and Trinidad's Murphy's Market; launching the program's second public outreach campaign with new \$30K grant from PG&E-T.V., print and radio ads will run for next 4 months, October-January
- Senior Program Analyst, Karen Sherman, attended one-day training in Monterey, CA on Strategic Planning for public agencies, sponsored by CSDA

Operations Department

- Finishing up several maintenance and upgrade projects at Hawthorne Street:
 - Painting exteriors of main office, scale house, "Birdroom" (Universal waste storage), offices leased to Recology
 - Paving of gravel parking and bin storage area on far west of property
 - Re-striping of parking areas, including customer unloading area at Recycling Center
- First 5 weeks of receiving and transferring of 15 tons per day of recyclables from HWMA drop-off, and City of Eureka and Eureka unincorporated area curbside recyclables to SWOW
- First 2 weeks of receiving source-separated pre-and post-consumer food waste from HSU, as part of HWMA's pilot food waste collection program, funded by US EPA grant

- Reviewing landfill contracts that expire in 2014 and 2016; staff plans to present preliminary findings at November board meeting
- Reviewing 3 software programs for automation of buy-back of California Redemption Value (CRV) recyclables, for possible use at HWMA recycling center



**HUMBOLDT WASTE
MANAGEMENT AUTHORITY**

Staff Report

DATE: November 10, 2011

FROM: Susan Rigge, Controller

SUBJECT: Item 6)b
Receive September Financial Reports

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

DISCUSSION:

Attached for Board review are the September Financial Statements

- Activity Report
- Balance Sheet
- Cash Position Report and Disbursements
- Department and Authority-wide Income Summaries

For the month of September the change in net assets was (\$59,627). Year to date revenue is \$2,525,217 which is 6.3% higher than the budget of \$2,375,900. Year to date Operation and payroll expenses are \$1,574,053, and year to date indirect expenses are \$271,409. Total Operations Expenses for the year to date are \$1,845,461, which is lower than budgeted at \$2,046,818. During the first quarter, rental expenses in the amount of \$11,595 have been incurred for repairs and painting at Recology Humboldt County. Capital expenditures for the first quarter, other than bond payments, included \$19,265 for replacement of lighting on the transfer station tip floor and \$29,810 for drainage work and paving.

The Activity Report and Throughput graph indicate that solid waste tonnage and revenue have decreased from the same period a year ago. ERD tonnage has increased from the same period last year. Additionally, Greenwaste tonnage has increased significantly.

Cash Disbursements for the month of September were \$959,229. Total salaries and related expenses were \$149,558 and bond payments were \$106,974. Payments for transportation and disposal were \$429,884, while consulting fees and construction projects was \$60,915. Pass thru fees were \$43,153 Expense related to the closure of the Landfill accounted for \$26,024. The Linde Forklift was purchases in September for \$33,911.

The Cash Position Report shows the balance of the checking, savings, and trust accounts as of September 30, 2011. It should be noted that only the checking and savings balances are available to the Authority for general business expenses. The trust funds must be authorized by CalRecycle to pay for closure costs after the closure plan is approved. The bond balances are restricted for bond payments only.

Activity Report
July 1, 2011 - September 30, 2011

Waste Tonnage	Tonnage			Revenue		
	Year to Date	Prior YTD	% of Prior	Year to Date	Prior YTD	% of Prior
Hawthorne						
Franchise	10,955.21	11,130.42	98.43%	\$1,317,145.12	\$1,372,492.12	95.97%
Self Haul	4,269.29	4,360.10	97.92%	\$660,039.07	\$695,025.32	94.97%
Subtotal	15,224.50	15,490.52	98.28%	\$1,977,184.19	\$2,067,517.44	95.63%
ERD	2,274.83	1,969.83	115.48%	\$212,335.78	\$189,423.25	112.10%
TOTAL.	17,499.33	17,460.35	100.22%	\$2,189,519.97	\$2,256,940.69	97.01%
Greenwaste	803.94	470.84	170.75%	\$63,660.57	\$45,815.55	138.95%

Household Hazardous Waste

	Customers			Revenue		
	Year to Date	Prior YTD	% of Prior	Year to Date	Prior YTD	% of Prior
Commercial	73	67	108.96%	\$17,887.29	\$13,617.57	131.35%
Residential	1,102	1,137	96.92%	\$8,496.03	\$9,141.40	92.94%
Fortuna Residential	17	24	70.83%	\$499.00	\$589.00	84.72%
Revenue from Countywide Fee				\$109,938.05	\$106,337.84	103.39%
TOTAL.	1,192	1,228	97.07%	\$136,820.37	\$129,685.81	105.50%

Traffic Count	Average Daily		Average Daily		% of Prior (ADC)
	Count FY11	Exceptions	Count FY10	Exceptions	
July	281	None	291	None	96.56%
August	265	None	261	None	101.53%
September	265	None	262	None	101.15%
October			240	None	0.00%
November			266	None	0.00%
December			222	None	0.00%
January			260	None	0.00%
February			227	None	0.00%
March			207	None	0.00%
April			245	None	0.00%
May			252	None	0.00%
June			265	None	0.00%
	811.00		814.00		99.63%

Humboldt Waste Management Authority
Statement of Assets and Liabilities
For the Fiscal Year as of September 30, 2011

ASSETS	September 30, 2011	June 30, 2011
Current Assets		
Cash and Cash Equivalents	\$4,135,976.27	\$4,141,776.51
Accounts Receivable	\$673,653.55	\$650,076.56
Prepaid Items	\$31,812.81	\$1,863.84
Total Current Assets	\$4,841,442.63	\$4,793,716.91
Restricted Assets		
Investment with Bond Trustee	\$2,163,585.35	\$2,213,443.38
Closure and post Closure care Trust Fund	\$8,358,549.83	\$8,378,953.95
Article Five Trust Fund	\$70,007.71	\$70,611.74
Accrued Interest Receivable	\$48,601.82	\$62,084.42
Total Restricted Assets	\$10,640,744.71	\$10,725,093.49
Other Assets		
Property, Plant, & Equipment	\$5,329,118.88	\$5,344,628.04
Deferred Charges	\$310,837.37	\$318,347.78
Grants Receivable	\$81,801.22	\$0.00
SWoW Receivable	\$47,600.00	\$0.00
OPP Receivable	(\$50,128.00)	\$0.00
Waste Authority Permit	\$221,171.00	\$221,171.00
Contract with Anderson Landfill	\$174,271.17	\$190,113.96
Goodwill Depreciable - Purchase of WSG	\$2,643,832.56	\$2,799,352.14
Total Other Assets	\$8,758,504.20	\$8,873,612.92
Total Assets	\$24,240,691.54	\$24,392,423.32
LIABILITIES AND NET ASSETS		
Current Liabilities		
Accounts Payable	\$465,119.62	\$446,090.36
Deferred Revenue	\$368,453.19	\$368,453.19
Current Portion of Bonds Payable	\$596,200.00	(\$13,472.00)
Current Portion of Leases Payable	\$0.00	\$21,676.00
Current Portion of Loan Payable	\$50,000.00	\$0.00
Accrued Wages and Payroll taxes payable	\$58,869.43	\$131,238.28
Accrued Interest Payable	\$83,500.00	\$88,500.00
Deferred Customer Revenue - Kernen	\$56,233.95	\$0.00
Other Accrued liabilities	\$11,569.02	\$2,100.00
Total Current Liabilities	\$1,689,945.21	\$1,044,585.83
Long Term Liabilities		
Loans Payable - CIWMB Closure	\$263,655.40	\$313,655.40
Equipment Leases Payable	\$0.00	\$39,785.52
Estimated closure and post closure costs	\$14,000,000.00	\$13,150,000.00
Bonds payable, long-term portion	\$10,055,000.00	\$10,845,000.00
Total Long Term Liabilities	\$24,318,655.40	\$24,348,440.92
Total Liabilities	\$26,008,600.61	\$25,393,026.75
Net Assets		
Equity Reserved	(\$3,424,657.00)	(\$2,846,875.24)
Unrestricted	\$3,768,340.12	\$3,070,448.22
Restricted for Special Programs	\$31,673.00	\$0.00
Investment in Capital assets	(\$2,280,266.00)	(\$2,168,405.00)
Increase (Decrease) in Net Assets	\$137,000.81	\$944,228.59
Total Net Assets	(\$1,767,909.07)	(\$1,000,603.43)
Total Liabilities and Net Assets	\$24,240,691.54	\$24,392,423.32

Humboldt Waste Management Authority
Cash Position
For the Month Ending September 30, 2011

Fund Name	Investor	Restricted	Unrestricted
Public Funds Checking Account	Umpqua Bank		\$1,993,426.41
Public Funds Savings Account	Umpqua Bank		\$2,139,013.31
Landfill Closure/Post Closure Trust Fund	Union Bank	\$8,358,549.83	
Landfill Article 5 Corrective Action Trust Fund	Union Bank	\$70,007.71	
Project Fund - Series 2002 Bond	Bank of New York	\$408.92	
Reserve Fund - Series 2002 Bond	Bank of New York	\$60,730.14	
Debt Service Fund - Series 2002 Bond	Bank of New York	\$31.09	
Revenue Fund for Bond Payment - Series 2002 Bond	Bank of New York	\$527,090.51	
Reserve Fund - Series 2005 Bond	Bank of New York	\$693,995.00	
Debt Service Fund - Series 2005 Bond	Bank of New York	\$0.00	
Cost of Issuance - Series 2005 Bond	Bank of New York	\$24,891.97	
Revenue Fund - Series 2005 Bond	Bank of New York	\$577,964.72	
Bond Payment Deposit	AIG - Wells Fargo	\$599,395.00	
Total Funds		\$10,913,064.89	\$4,132,439.72

Disbursements September 2011

Paid To	Amount	Paid To	Amount
101 Things to Do	\$419.00	Les Schwab Tire Center	\$100.00
ACRC	\$4,500.00	Lighting Resources	\$2,901.30
Anderson Landfill	\$52,658.06	Louis Pree - travel	\$18.87
Applied Industrial Tech	\$49.33	Mad River Hardwood	\$26,423.27
Applied Polymer Systems	\$2,959.12	Maples Plumbing	\$177.94
Artcraft Printers	\$457.70	McKinleyville Ace Hardware	\$83.80
Asbury Environmental Services	\$50.00	McKinleyville Press	\$350.00
AT & T	\$554.67	Mendes Supply Company	\$39.34
B & B Portable Toilet	\$280.31	Mercury Disposal Systems	\$937.20
Bank of New York	\$106,974.00	Mission Uniform	\$792.90
Bankcard Fees	\$2,579.84	Nancy Diamond	\$3,920.00
Bettendorf Enterprises	\$231,107.50	NCUAQCD	\$1,220.14
Bill Boak	\$36.00	NEAC	\$50.00
Bob's Sign Shop	\$50.00	Network Mgmt Services	\$2,682.70
Bug Press	\$270.00	Neva Swan - travel	\$148.19
California Body Shop	\$1,020.58	North Coast Laboratories	\$175.00
Campton Electric Supply	\$21,779.07	Northcoast Exterminators	\$210.00
Cardmember Service	\$2,879.20	Northern California Gloves	\$152.28
Cash for CRV	\$29,673.00	Northern California Safety	\$80.00
CDH Painting Inc	\$6,775.00	Occupational, Enviro Health	\$10.00
Chuck Dills	\$100.00	Pacific Gas & Electric	\$8,022.29
City of Eureka	\$893.96	Pacific Paper Co.	\$1,366.41
Comet Supply	\$1,975.00	Peterson Tractor	\$3,679.65
Comfort of Home Catering	\$264.25	Picky Picky Picky Store	\$183.58
Con-Way Freight Lines	\$3,315.35	Pierson Building Center	\$609.76
County Environmental Health	\$22,976.83	Prescott Designs	\$90.00
County Public Works	\$20,176.57	PSC-Philip Services Corp	\$60,518.00
Cresco Equipment Rental	\$966.89	Recology	\$525.00
Crystal Springs	\$123.50	Redwood Teen Challenge	\$3,300.00
DCI Builders	\$24,750.00	Sainte Partners	\$895.00
ECS Refining	\$422.00	Schuyler Rubber Co.,Inc	\$1,748.87
Eel River Disposal	\$34,764.81	SCS Field Services	\$470.00
Englund Marine Supply	\$162.00	SETCO	\$1,176.45
Environmental Science Asso	\$3,372.50	Specialty Traffic Systems	\$19.38
Eureka Humboldt Fire	\$7,071.29	Stacy Knox - uniform	\$241.36
Eureka Ready Mix	\$1,329.91	Stericycle,Inc	\$321.00
Eureka Rubber Stamp Co.	\$16.92	Steve Morris Logging	\$6,912.24
Express Services, Inc.	\$2,994.74	Suddenlink	\$69.95
FedEx	\$36.57	Superior Alarm Systems	\$207.00
Finnegan & Nason	\$4.86	Taylor Made Organizing	\$195.00
Forestry Suppliers, Inc.	\$212.98	The Ferndale Enterprise	\$714.00
Freon Free	\$1,514.76	Tibora Girczyc-Blum	\$117.60
Golder Associates	\$1,578.72	Tiffany Ibbs - travel	\$188.78
Hajoca Corporation	\$337.74	Times Standard	\$525.00
HCSD	\$24.15	TRS Environmental	\$1,142.12
Holt of California	\$33,910.79	U-Haul Corp	\$236.79
Howden & Associates	\$4,047.00	Uline Shipping Supply	\$220.54
HSBC Business Solutions	\$263.58	United Rentals Inc.	\$533.60
Humboldt Bay Forest Products	\$7,608.97	US Bank Office Equip	\$319.81
Humboldt Fasteners	\$33.36	Verizon Wireless	\$407.99
Industrial Electric	\$712.16	WBCO Electric Service	\$1,175.68
Karen Sherman - travel	\$249.92	Wendt Construction Co	\$430.00
KIEM-TV3	\$300.00	Zep Manufacturing	\$199.27
KLH Consulting, Inc.	\$37.50		
L & M Renner, Inc	\$7,510.89		
Landtec	\$9,377.05	Payroll Expenses	\$149,557.98
Lawrence & Associates	\$13,926.43	Total	\$959,229.36

**Humboldt Waste Management Authority
 Summary Statement of Operations
 For the Month Ending September 30, 2011
 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	803,421	2,525,217	2,375,900	149,317	106.28%	9,503,600	26.57%
Operational Expense	339,845	1,136,675	1,266,970	(130,296)	89.72%	5,067,881	22.43%
Payroll	160,818	437,378	510,850	(73,472)	85.62%	2,043,400	21.40%
Indirect Expense	106,392	271,409	268,997	2,412	100.90%	1,075,989	25.22%
Subtotal Expenses	607,055	1,845,461	2,046,818	(201,357)		8,187,270	
Net Operations	196,366	679,757	329,083	350,674		1,316,330	
Capital Expenditures	114,532	274,242	197,500	76,742	138.86%	790,000	34.71%
Non-Operational Expense	35,140	105,420	115,603	(10,183)	91.19%	462,412	22.80%
Other Revenues & Expenses	(106,320)	(437,336)	(93,404)	(343,932)	468.22%	(373,615)	117.06%
Net Change in Assets	(59,627)	(137,241)	(77,424)	(59,817)		(309,697)	

**Humboldt Waste Management Authority
Summary Statement of Operations
For the Month Ending September 30, 2011
by Department**

	YTD Total	Admin	Transfer Station	ERD	Recycling	Compost Facility	Programs	HHW	Cummings Landfill
Operations									
Total Revenues	2,525,217	104,740	1,615,480	157,939	205,628	106,580	69,024	136,820	129,007
Operational Expense	1,136,675	0	769,741	112,578	104,156	67,398	(9,396)	69,585	22,615
Payroll	437,378	42,442	167,011	0	85,975	2,706	56,372	33,299	49,571
Indirect Expense	271,409	42,973	69,567	0	43,817	7,678	38,072	24,625	44,678
Subtotal Expenses	1,845,461	85,416	1,006,318	112,578	233,948	77,782	85,048	127,509	116,864
Net Operations	679,757	19,324	609,162	45,361	(28,319)	28,798	(16,024)	9,312	12,143
Capital Expenditures	274,242	0	222,835	0	31,367	0	20,040	0	0
Non-Operational Expense	105,420	11,565	58,074	0	7,077	4,431	7,581	10,596	6,096
Other Revenues & Expenses	(437,336)	13,248	(293,123)	0	0	0	0	0	(157,461)
Net Change in Assets	(137,241)	21,007	35,130	45,361	(66,764)	24,367	(43,645)	(1,284)	(151,414)

**Humboldt Waste Management Authority
Statement of Administration and Operations with Budget
For the Month Ending September 30, 2011
Operations**

	September Actual	YTD Actual	YTD Budget	YTD Variance	% of YTD Budget	Total Budget	YTD 25.00% of Total Budget
Total Revenues	717,651	2,190,366	1,987,242	203,125	110.22%	7,948,967	27.56%
Direct Expenses	452,194	1,352,007	1,479,600	(127,593)	91.38%	5,918,400	22.84%
Gross Margin	265,458	838,360	507,642	330,718		2,030,567	
Indirect Expenses	70,542	164,034	140,992	23,042	116.34%	563,969	29.09%
Income from Operations	194,916	674,325	366,650	307,676		1,466,598	
Capital Expenditures	107,852	254,202	177,460	76,742	143.24%	709,839	35.81%
Depreciation	27,049	81,147	91,476	(10,329)	88.71%	365,902	22.18%
Other Revenue & Expense	(93,534)	(279,875)	(93,404)	(186,471)	299.64%	(373,615)	74.91%
Net Income (Loss)	(33,520)	59,102	4,311	54,791		17,242	

**Humboldt Waste Management Authority
Statement of Operations with Budget
For the Month Ending September 30, 2011
Programs Department**

	September Actual	YTD Actual	YTD Budget	YTD Variance	% of YTD Budget	Total Budget	YTD 25.00% of Total Budget
Total Revenues	34,726	205,844	242,183	(36,339)	85.00%	968,733	21.25%
Direct Expenses	21,348	149,860	224,734	(74,873)	66.68%	898,934	16.67%
Gross Margin	13,378	55,984	17,450	38,534		69,799	
Indirect Expenses	17,613	62,696	62,040	656	101.06%	248,161	25.26%
Income from Operations	(4,235)	(6,712)	(44,591)	37,878		(178,362)	
Capital Expenditures	6,680	20,040	20,040	0	0.00%	80,161	0.00%
Depreciation	6,059	18,177	18,032	145	100.80%	72,128	25.20%
Other Revenue & Expense	0	0	0	0	0	0	0
Net Income (Loss)	(16,974)	(44,929)	(82,663)	37,733		(330,651)	

**Humboldt Waste Management Authority
Statement of Operations with Budget
For the Month Ending September 30, 2011
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	51,043	129,007	146,475	(17,468)	88.07%	585,900	22.02%
Direct Expenses	27,121	72,185	73,487	(1,301)	98.23%	293,947	24.56%
Gross Margin	23,922	56,821	72,988	(16,167)		291,953	
Indirect Expenses	18,237	44,678	65,965	(21,287)	67.73%	263,859	16.93%
Income from Operations	5,685	12,143	7,024	5,120		28,094	
Capital Expenditures	0	0	0	0	#DIV/0!	0	#DIV/0!
Depreciation	2,032	6,096	6,096	1	100.01%	24,382	25.00%
Other Non-Operational Expenses	(12,786)	(157,461)	0	(157,461)		0	
Net Income (Loss)	(9,132)	(151,414)	928	(152,342)		3,712	



**HUMBOLDT WASTE
MANAGEMENT AUTHORITY**

Staff Report

DATE: November 10, 2011

FROM: Jim Test, Executive Director

SUBJECT: Item 6)c
Amend Purchasing Policy to Allow Use of California Multiple Award Schedules in lieu of Bidding.

RECOMMENDED ACTION:

Amend Purchasing Policy to Allow Use of California Multiple Award Schedules in lieu of Bidding.

DISCUSSION:

Staff would like to use the CMAS (California Multiple Award Schedules) program, which allows local governments to utilize pricing on equipment that has already been negotiated by the state Department of General Services. Utilization of the CMAS program pricing would require a waiver by the HWMA Board of Directors of the HWMA policy requirement to purchase new equipment costing over \$20,000 through a competitive, sealed bid process. Staff recommends that Section 4040.2 be amended to allow use of the CMAS program, as shown below:

4040.2 Purchases of new supplies, materials, equipment, and services of an estimated cost of \$20,000 or more are required to be put out to bid. Bidding shall not be required during emergencies, or for the purchase of used supplies, materials, or equipment. **Bidding shall not be required when utilizing the CMAS (California Multiple Award Schedules) program.**

4040.2.1 Notices inviting bids shall include a general description of the articles to be purchased, where the bid document and specifications may be obtained, and the time and place for the bid opening.

4040.2.2 Notices shall be published at least ten (10) days before the date of opening.

4040.2.3 Notices shall be published at least once in a newspaper of general circulation or if there is none, it shall be posted in at least three public places in the County.

4040.2.4 Following the award of a bid, an agreement may be executed as necessary, with Board approval.

ATTACHMENTS:

General CMAS Program Information



GENERAL CMAS PROGRAM INFORMATION

Program Overview California Multiple Award Schedules (CMAS) offer a wide variety of commodity, non-IT Services, and information technology products and services at prices which have been assessed to be fair, reasonable and competitive. The use of these contracts is optional and is available to California State and Local Government agencies.

State Agencies Note State agencies should refer to the State Contracting Manual (SCM), Volume 2, Chapter 6, Sections A & B (Non-IT), and the SCM, Volume 3, Chapter 6, Sections A & B (IT), for information regarding the CMAS Program.

Use of the California Multiple Award Schedule program does not reduce or relieve California State agencies of their responsibility to meet statewide requirements, guidelines, procedures or policies regarding contracts or procurements.

Contracting Expertise and Successful Results Each agency is responsible for its own contracting program and purchasing decisions, including use of the CMAS program and associated outcomes.

It is the responsibility of the ordering agency to have sufficient procurement expertise and understanding of applicable codes, policies, and guidelines and the CMAS program parameters to ensure that transactions are legal and consistent with best business practices.

This responsibility includes, but is not necessarily limited to, ensuring the necessity of the services, securing appropriate funding, complying with laws and policies, preparing the purchase order in a manner that safeguards the State's interests, obtaining required approvals, and documenting compliance with Government Code 19130.b (3) for outsourcing services.

Successful CMAS transactions are totally the responsibility of the ordering agency. Agency staff must possess sufficient knowledge of essential acquisition principles and practices to make appropriate purchasing decisions or risk loss of delegated purchasing authority to use the CMAS program.

Legal Counsel It is the responsibility of each agency to consult as applicable with their legal staff and contracting offices for advice depending upon the scope or complexity of the purchase order.

If you do not have legal services available to you within your agency, the DGS Office of Legal Services is available to provide services on a contract basis.

How to Get a Copy of a CMAS Contract Each CMAS contractor is required to provide a complete copy of their CMAS contract to a California State Agency or Local Government Agency upon request. The CMAS unit strongly encourages government agencies to place orders ONLY with suppliers who provide a complete CMAS contract, as follows:

Continued on next page

General CMAS Program Information, Continued

How to Get a Copy of a CMAS Contract (continued)

- **CMAS Cover Pages** - The CMAS cover pages include the signature page, custom ordering instructions as prepared by the CMAS unit, and the Std. 204 Payee Data Record. The Std. 204 Payee Data Record is required by government agency accounting departments in order to process payments to contractors.
- **State of California Contract Terms and Conditions** - Several pages of contract terms and conditions, as required by the State of California.
- **Federal GSA Contract Terms and Conditions** - The federal GSA (or other base contract) terms and conditions define the warranties and guarantees.
- **Products and Services Price List** - The prices of all products and services in a CMAS contract are the maximum prices. Contractors may only sell, and agencies may only buy, products and services identified on the contract. The exception to this rule is product(s) or services procured under the Not Specifically Priced (NSP) provision. This provision is included with many CMAS contracts. Any product or service procured under the NSP provision must be subordinate to a product identified on the same order. The maximum dollar amount of NSP items on an order is defined in the NSP provision.

Go to www.dgs.ca.gov/pd/programs/leveraged/cmas.aspx, then select "Find a CMAS Contract" to search for products, services, or contractors available on the CMAS Program. Also, agencies can use this site to substantiate that the CMAS contract is still valid prior to issuing an order.

DGS Fees

Orders from State Agencies:

The Department of General Services (DGS) will bill each state agency directly an administrative fee for use of CMAS contracts. The administrative fee should NOT be included in the order total, nor remitted before an invoice is received from DGS. This administrative fee is waived for CMAS purchase orders issued to California certified small businesses.

See the current administrative fees in the DGS Price Book at www.dgs.ca.gov/ofs/resources/pricebook.aspx.

Orders from Local Government Agencies:

CMAS contractors, who are not California certified small businesses, are required to remit to the DGS an incentive fee equal to 1% of the total of all local government agency orders (excluding sales tax and freight) placed against their CMAS contract(s). This incentive fee is in lieu of local government agencies being billed the above referenced DGS administrative fee.

This incentive fee is waived for CMAS purchase orders issued to California certified small businesses.

Travel

If the contract provides for reimbursement of travel expenses, state agencies may pay travel and per diem expenses according to state travel time and per diem rules (represented employee rates) with verified receipts.

Continued on next page

General CMAS Program Information, Continued

Travel (continued)

Notwithstanding the contract provisions, the State will not be responsible for the cost of travel to bring contractor personnel to the agency site to commence work. However, if requested by the ordering agency, the State will be responsible for the cost of travel from one California agency site to another.

Local government agency, education and special districts will pay travel time and per diem according to their respective statutory requirements.

All travel and per diem expenses must be within contract parameters, and incorporated into the agency purchase order.

It is important that the agency and contractor discuss necessary travel requirements prior to issuing the purchase order because the detail and cost (only as allowed for in the contract) must be included in the agency purchase order to be payable.

Training Vouchers

It is acceptable to purchase training vouchers in advance of training being performed providing the Contractor does not invoice and the State does not pay for the training services in advance.

Liquidated Damages & Acceptance Testing Criteria

If the agency wants to include acceptance testing and liquidated damages for late delivery, the criteria must be mutually agreed upon by the agency and contractor, and added to the purchase order to be applicable.

If the agency wants to include acceptance testing for all newly installed technology systems, and individual equipment, and machines which are added or field modified (modification of a machine from one model to another) after a successful performance period, the test criteria must be included in the purchase order to be applicable.

Public Works Projects on CMAS Contracts

Definition of a Public Works Project

A public works contract is defined as a contract for "the erection, construction, alteration, repair or improvement of any public structure, building, road or other public improvement of any kind" in accordance with the Public Contract Code (PCC) Section 1101.

Installation of Physical Layer Cable & Carpet

Installation of physical layer cable and carpet is considered public works. The agency purchase order may allow for a public works component only when it is incidental to the overall project requirements. This means the total dollar value of all services included in a purchase order must not exceed the dollar value of the products.

Applicable Laws & Codes

Agencies are to ensure that the applicable laws and codes pertaining to contractor and sub-contractor licensing, prevailing wage rates, bonding, labor code requirements, etc., are adhered to by prime contractors as well as sub-contractors during the performance under the agency's CMAS purchase order.

Agency Responsibility

In accordance with Labor Code Section 1773.2, the ordering agency is responsible for determining the appropriate craft, classification or type of worker needed for any contract for public works.

Continued on next page

General CMAS Program Information, Continued

Public Works Projects on CMAS Contracts (continued)

Also, the agency is to specify the applicable prevailing wage rates as determined by the Director of the Department of Industrial Relations (DIR). In lieu of specifying the prevailing wage rates, the agency may include a statement on the purchase order that the prevailing wage rates are on file at the agency's office, and will be made available upon request. The prevailing wage rates are available from the DIR at (415) 703-4774.

Verify Status of Contractor's License

The CMAS Unit substantiates that the Contractor holds the appropriate license when the contract is established. However, the agency must verify that the Contractor's license is still active and in good standing prior to placing the order by calling the State Contractor's License Board at 1-800-321-2752 or on their web site at <http://www.cslb.ca.gov>.

Prime & Subcontractor Must Be Licensed

When contractor's licenses are required, the prime and subcontractor (if applicable) must both hold a valid license for the work being performed.

State Contracting Manual

State agencies planning public works projects need to review the State Contracting Manual (SCM), Volume 1, Section 10 for applicable regulations.

Public Works Bond Requirements

Prior to the commencement of performance, the Contractor must obtain and provide to the State, a payment bond, on Std. Form 807, when the purchase order involves a public works expenditure (labor/installation costs) in excess of \$5,000. Such bond shall be in a sum not less than one hundred percent (100%) of the contract price. Forms shall be provided to the Contractor. See the General Terms and Conditions, CMAS Public Works Requirements.

Progress Payments

Non-IT Goods - See Public Contract Code 10314

Non-IT Services - See Public Contract Code 10346

IT Goods and Services - See Public Contract Code 12112

Amendments for CMAS Contracts based on Federal GSA Schedules

Once the federal GSA schedule is amended by the federal government, the change becomes effective for associated CMAS contracts without the need for a CMAS contract amendment, with the following exceptions:

1. A CMAS contract amendment is required when the contract is based on products and/or services from another contractor's GSA schedule and the Contractor wants to add a new manufacturer's products and/or services.
 2. A CMAS contract amendment is required for new federal contract terms and conditions that constitute a material difference from existing contract terms and conditions. A material change has a potentially significant effect on the delivery, quantity or quality of items provided, the amount paid to the Contractor or on the cost to the State.
 3. A CMAS contract amendment is required to extend the end term of the CMAS contract.
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General CMAS Program Information, Continued

Amendments for CMAS Contracts based on Non-GSA Multiple Award Contracts

A CMAS contract amendment is required for any change to a CMAS contract based on a non-GSA multiple award contract.

Conflict of Interest

Agencies must develop a plan to evaluate the proposed purchase order for any potential conflict of interest issues. See the CMAS Terms & Conditions, Conflict of Interest, for more information.

Consulting Contracts

State agencies must determine whether a consultant's proposed duties create any reporting requirements under the Political Reform Act.

Under some circumstances, consultants may be required to report economic interests; may be prohibited from receiving gifts; and/or may be disqualified from participating in certain decisions.

Prohibited Financial Interest

Employees and certain consultants may be prohibited from participating in decisions or participating in "making purchase orders" if they have a financial interest. See Government Code Section 1090 et seq. and Government Code Section 87400 et seq.

Contractors Acting as Fiscal Agents are Prohibited

When a subcontractor ultimately performs all of the services that a contractor has agreed to provide and the prime contractor only handles the invoicing of expenditures, then the prime contractor's role becomes that of a fiscal agent because it is merely administrative in nature, and does not provide a commercially useful function. It is unacceptable to use fiscal agents in this manner because the agency is paying unnecessary administrative costs.

Contractor Name/Ownership Change

Many contractors are changing their company name and ownership status. The company name on the CMAS contract, purchase order and invoice must match or the State Controller's Office will not approve payment. Agencies cannot approve invoices if the company name varies between these documents. Contractors must contact the CMAS Unit to initiate a legal name change for their CMAS contract. See the "CMAS Contract Management & Information Guide", Section 1 Topic 4, for more information.

Multiple Contractors on One Project

Ideally, agencies will obtain all of their requirements for a project from the same CMAS contractor, because unlike the bid process each individual contractor is responsible "only" for their portion (whatever their individual purchase order specifies), not the total solution with everything completed and working together. Even if an agency hires a project manager, the project manager is responsible only for "project management." Consequently, the agency is solely responsible for the successful integration of all components.

Agencies must develop complete Statements of Work (SOW) that include all necessary requirements. See [Statement of Work Information](#) for considerations, questions, and sample language to be used in developing a Statement of Work.

Continued on next page

General CMAS Program Information, Continued

Network Design Services

All network design services on CMAS contracts must result in a hardware or software solution. Also, all network design services performed by the Contractor that include infrastructure components must be performed by a BICSI certified Registered Communications Distribution Designer (RCDD) employed either by the Contractor or subcontractor. Evidence of RCDD certification may be required by the ordering agency.

Small Business/DVBE Subcontracting Participation

Small Business/DVBE - Tracking

State agencies are able to claim subcontracting dollars towards their small business or DVBE goals whenever the Contractor subcontracts a commercially useful function to a certified small business or DVBE. The Contractor will provide the ordering agency with the name of the small business or DVBE used and the dollar amount the ordering agency can apply towards its small business or DVBE goal.

Small Business/DVBE Subcontracting

The amount an ordering agency can claim towards achieving its small business or DVBE goals is the dollar amount of the subcontract award made by the Contractor to each small business or DVBE. The Contractor will provide an ordering agency with the following information at the time the order is quoted:

1. The Contractor will state that, as the prime Contractor, it shall be responsible for the overall execution of the fulfillment of the order.
2. The Contractor will indicate to the ordering agency how the order meets the small business or DVBE goal, as follows:
 - List the name of each company that is certified by the Office of Small Business and DVBE Services that it intends to subcontract a commercially useful function to; and
 - Include the small business or DVBE certification number of each company listed, and attach a copy of each certification; and
 - Indicate the dollar amount of each subcontract with a small business or DVBE that may be claimed by the ordering agency towards the small business or DVBE goal; and
 - Indicate what commercially useful function the small business or DVBE subcontractor will be providing towards fulfillment of the order.

The ordering agency's purchase order must be addressed to the prime Contractor, and the purchase order must reference the information provided by the prime Contractor from the quotation as outlined above.

Resellers

Authorized CMAS resellers qualify as independent solicitation offers. That is, the agency can obtain the necessary offers from one CMAS contract with multiple authorized resellers.

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General CMAS Program Information, Continued

Purchase Order Termination

The only CMAS provisions for early termination of a purchase order are in the areas identified below.

- Termination for Non-Appropriation of Funds
- Termination for Convenience (of the State)
- Termination for Default

Agencies may negotiate with the Contractor to include a termination provision in the purchase order before issuance of the order. The Contractor is not legally obligated to accept increased risk.

Delivery of Products and Services

Purchase orders must be issued before the expiration of the CMAS contract. However, delivery of the products or completion of the services may be provided after the expiration of the CMAS contract (unless specifically stipulated otherwise in the CMAS contract), but must be as provided as specified in the purchase order.

Bundling of Products, Services, and Prices

Product bundling is not allowed. All components shall be delineated as separate line items having individual product numbers or identifiers, unless specified on the base contract as a bundled item having a bundled product number.

Bundling of consulting services is not allowed. Agency orders must be detailed showing staff hours by approved classification, and hourly rate per classification for each task/deliverable. Showing only one lump sum total for the project without providing a detailed breakdown as described above is not acceptable.



**HUMBOLDT WASTE
MANAGEMENT AUTHORITY**

Staff Report

TO: The Board of Directors

DATE: November 10, 2011

FROM: Jim Test, Executive Director

SUBJECT: Item 6)d
Authorize Purchase of a Used Caterpillar Skid Steer Loader.

RECOMMENDED ACTION: Voice vote.
Authorize staff to purchase a used Caterpillar Skid Steer loader from Peterson Tractor Co. of Fortuna, in the amount of \$22,333.00, plus 8% sales tax.

DISCUSSION:

When HWMA was preparing to assume direct operation of the Eureka Recycling Center in Spring 2010, staff felt it best to hold off on immediately entering into purchases of certain large pieces of equipment, and instead to lease with an option to buy. In the spring of 2010, after some research on different makes and models of skid steer loaders, we decided to lease a Caterpillar model.

This Caterpillar 226B2 skid steer loader (with grapple bucket) was new when HWMA received it in late June 2010, and recycling center staff have been pleased with its design and ease of operation. The purchase price of \$24,119.64 (\$22,333.00 plus sales tax of \$1786.64) reflects a depreciated price from the original quote of \$30,810.00 made in October 2010.

Financial Impact

The FY2011/12 budget includes \$28,000 for the planned purchase of this skid steer.



**HUMBOLDT WASTE
MANAGEMENT AUTHORITY**

Staff Report

DATE: November 10, 2011

FROM: Jim Test, Executive Director

SUBJECT: Item 7
Approve Revised Interim Organization Chart and Classification and Pay Plans,
and Designate an Interim Executive Director.

RECOMMENDED ACTION: Voice Vote.

Approve Revised Interim Organization Chart;
Approve Revised Classifications including:
Add New Classifications: Administrative Services Manager; Project Manager;
Special Projects Manager; Delete Classifications: Controller; Rural Site
Attendant; Approve Revised Classifications: Interim Executive Director;
Administrative Assistant;
Approve Revised Pay Plan;
Designate an Interim Executive Director.

DISCUSSION:

In response to changes that are taking place within the organization, staff is proposing a number of revisions to job roles. The biggest changes come about as a result of the proposed retirement of two senior managers: Executive Director, Jim Test, and Controller, Susan Rigge.

Organization Chart

The proposed changes to the Interim Organization Chart, Rev December 2011 are:

- Reclassify Executive Director as Interim Executive Director;
- Delete Controller and Rural Site Attendant;
- Add Administrative Services Manager and Project Manager;
- Add Special Projects Manager;
- Change Digester Program to Organic Waste Diversion Program.

The Interim Executive Director is a temporary position that will manage on-going operation of HWMA while a permanent Executive Director is being recruited.

The Controller is being replaced by an Administrative Services Manager. In the past the Controller has been the number two position in the Authority. As HWMA has grown and added departmental managers the job focus has been shifting to financial *and* administrative support for our operating divisions.

The Rural Site Attendant job has been transferred back to the Humboldt County Public Works Department and the job role eliminated.

We are proposing to upgrade a Programs Analyst position to a Project Manager, and rename the section Organic Waste Diversion Program. This job will concentrate on the digester program and organics collection programs. We are starting a pilot collection program and a food composting program; and, expect over the next year to make critical decisions about future program efforts. The Project Manager supervises a Programs Analyst working on the EPA grant.

The Special Projects Manager is a temporary position, a six month contract that will oversee the three projects: Cummings Road Landfill, Organic Waste Diversion and Recruitment. Having a separate manager for these on-going projects will allow the Interim Executive Director to concentrate on the day-to-day operation of the Authority.

Both the proposed Organization Chart, December 2011 and the current Organization Chart, April 2010, are attached.

Classifications and Pay Plan

The classifications for Controller and Rural Site Attendant should be deleted. New Classifications for Administrative Services Manager, Project Manager, and Special Projects Manager should be added. A revised Classification for the Administrative Assistant should be approved. New job descriptions are attached.

A new Pay Plan that recognizes the proposed changes is attached. The new positions for Administrative Services Manager and Project Manager would become effective December 1, 2011. The Interim Executive Director position would become effective December 31, 2011; and the Special Projects Manager position would become effective January 3, 2012.

Designate an Interim Executive Director.

Operational continuity should be a high priority during the recruiting process for a new Executive Director. Staff recommends that Patrick Owen, the current Operations Manager, be designated as the Interim Executive Director. Mr. Owen will return to his position as Operations Manager when a new Executive Director is in office.

Financial Impact

There will be an increase in payroll associated with the Administrative Services Manager, Project Manager, Interim Executive Director, and Special Projects Manager. There will be a decrease in payroll associated with the elimination of the Executive Director, Controller, and Rural Site Attendant. It is estimated that there will be an overall increase of approximately \$7,000 for the last half of FY2011/12.

Attachments

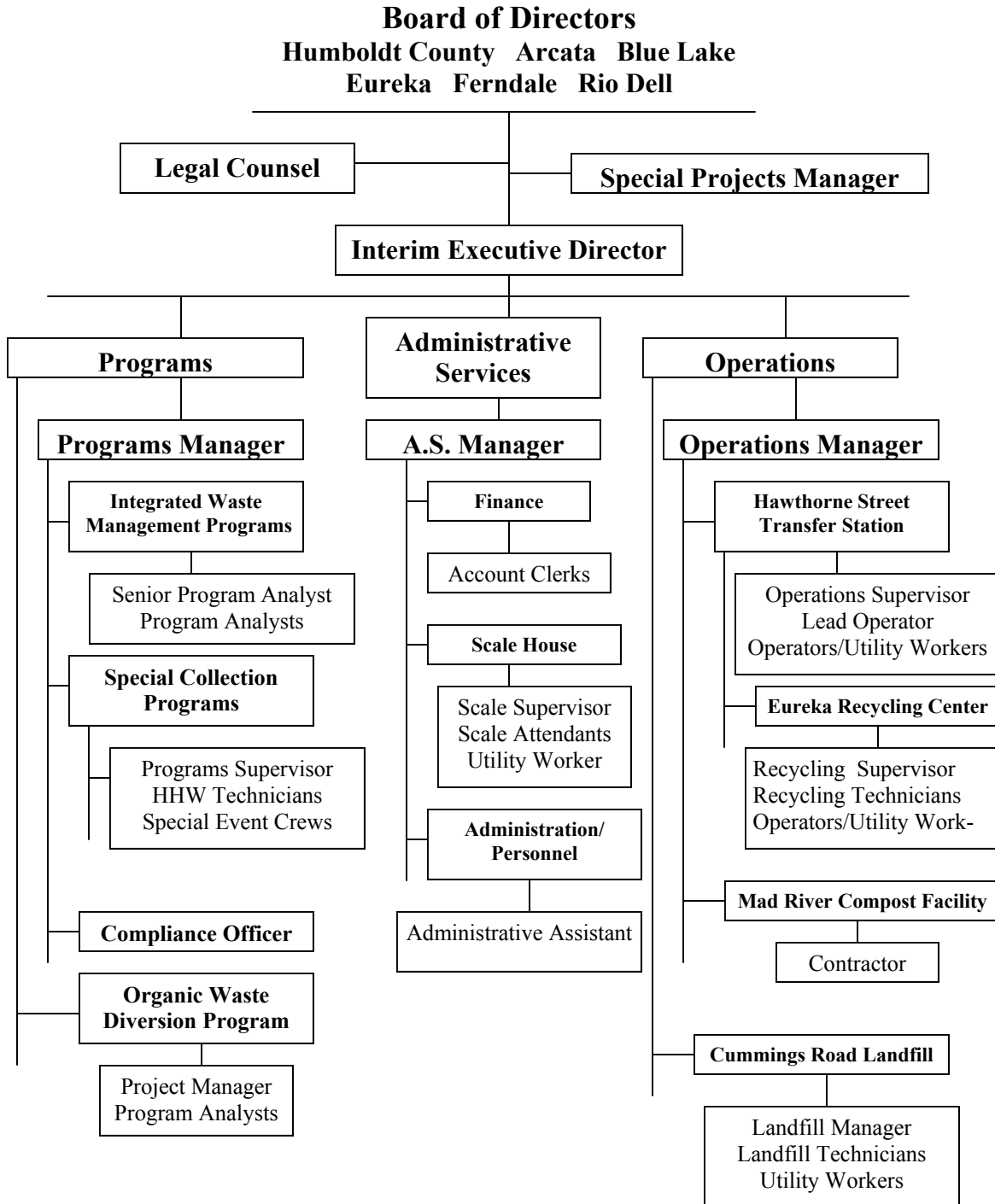
HWMA Organization Chart, December 2011

HWMA Organization Chart, April 2010

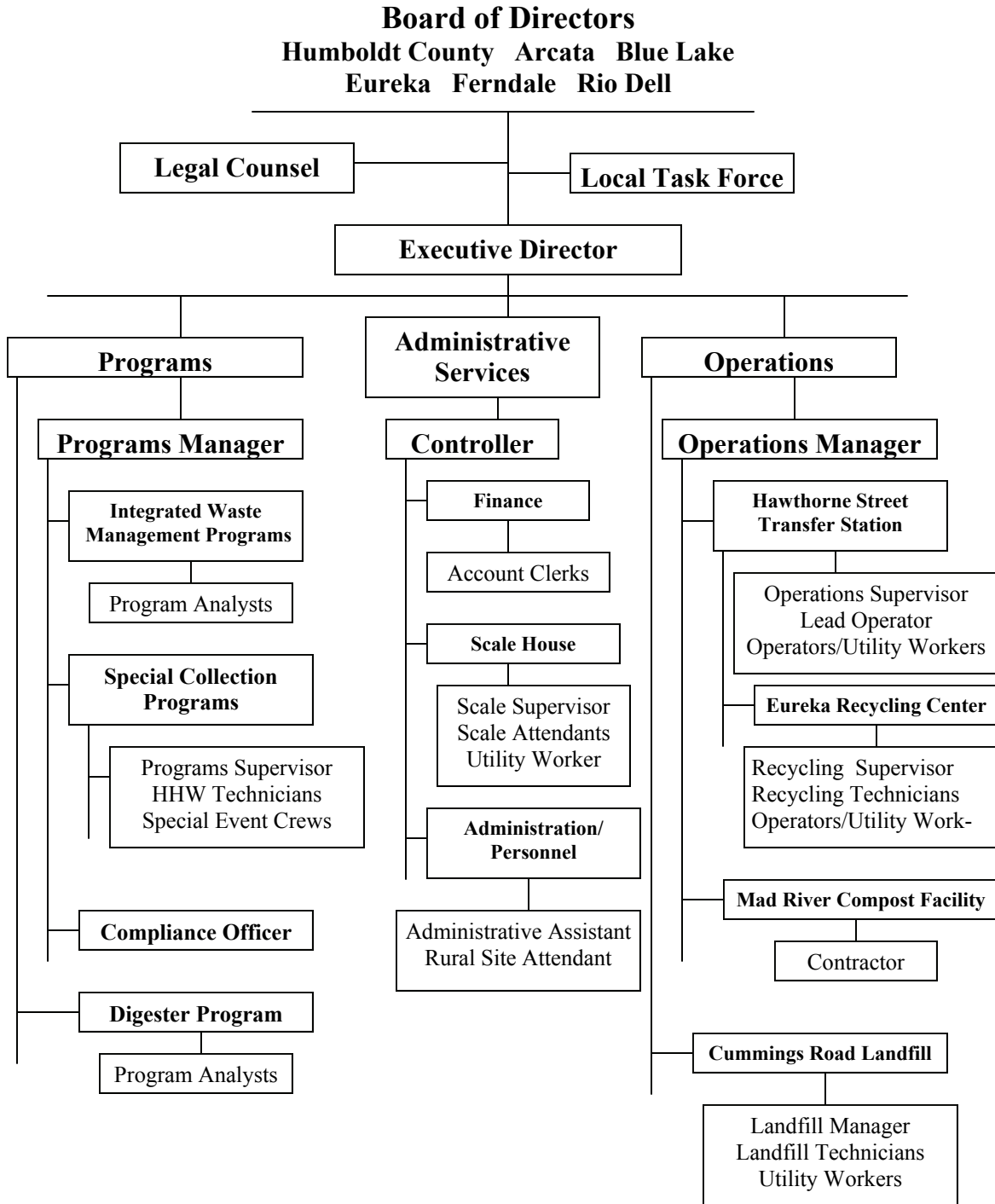
FY2011/2012 Pay Plan, Rev December 2011

Job Description for: Administrative Services Manager; Project Manager;
Administrative Assistant

Humboldt Waste Management Authority Organization Chart, Rev December 2011



Humboldt Waste Management Authority Organization Chart, Rev April 2010



Humboldt Waste Management Authority

		11/12			11/12
Position	Step	Hourly Wage		Step	Hourly Wage
Acct Clerk I	A	\$11.92	Programs Analyst	A	\$15.60
Admin Asst.	B	\$12.53		B	\$16.39
Utility Worker	C	\$13.15		C	\$17.19
	D	\$13.89		D	\$18.05
	E	\$14.62		E	\$19.07
Acct Clerk II	A	\$14.92	Scale Supervisor	A	\$17.87
Scale Attendant	B	\$15.12	HHW Sr. Tech	B	\$18.66
	C	\$15.65	Lead Operator	C	\$19.46
	D	\$16.37	Recycle Supervisor	D	\$20.26
	E	\$17.07		E	\$20.42
Operator Technician	A	\$15.36	Programs Sr. Analyst	A	\$20.88
	B	\$15.87	Operations Sup	B	\$21.44
	C	\$16.66	Compliance Officer	C	\$21.64
	D	\$18.65		D	\$22.71
	E	\$19.13		E	\$23.63

Salaried-Exempt Semi Monthly Pay Scale		11/12			11/12
		Semi-Monthly			Semi-Monthly
Position	Step	Wage		Step	Wage
Landfill Manager	A	\$1,834.00	Operations Manager	A	\$2,947.00
Project Manager	B	\$1,926.00		B	\$3,094.00
	C	\$2,022.00		C	\$3,249.00
	D	\$2,123.00		D	\$3,411.00
	E	\$2,229.00		E	\$3,582.00
				Special Projects Manager	
Programs Manager	A	\$2,254.00			
Admin Services Manager	B	\$2,367.00	Interim Exec Director		\$3,700.00
	C	\$2,485.00			
	D	\$2,609.00			
	E	\$2,739.00			

Approved _____

Date _____



JOB DESCRIPTION ADMINISTRATIVE SERVICES MANAGER

SUMMARY

This is a full-time, exempt position with administrative, supervisory, planning and reporting responsibilities. The Administrative Services Manager (ASM) is responsible for management of HWMA financial and administrative functions, and is designated as the Authority Treasurer. This position is responsible for establishing and maintaining financial systems, financial policies and procedures, and financial reporting and compliance requirements. The Administrative Services Manager helps plan, prepare and monitor HWMA's operating budget, capital budgets, cash flow requirements, financial projections, and financial reports, as outlined in the HWMA finance policy and procedure manual.

The ASM is also responsible for establishing and maintaining general administrative systems, corporate insurance requirements and personnel administration.

This position provides information and assistance to the auditor in the performance of the annual audit.

SUPERVISION RECEIVED AND EXERCISED

The ASM reports to the Executive Director; and, supervises and trains finance staff and scale staff.

TYPICAL DUTIES

Financial Management

- Manage internal accounting and financial control systems.
- Maintain A/P, G/L and Payroll Ledgers, and Fund Accounts.
- Review and monitor cash flow requirements, and prepare cash flow projections.
- Work with the Executive Director and staff to develop annual operating budgets.
- Oversee the annual audit process and review and comment on auditor recommendations.
- Maintain computer networks and accounting and scale software systems.
- Review and monitor contract requirements for annual rate adjustments and reporting.
- Review and monitor corporate insurance requirements.

Compliance Management

- Work with the Executive Director and staff to develop and maintain program compliance documentation and reporting systems.
- Work with the Executive Director and staff to design and prepare periodic compliance reports required by HWMA procedures or regulatory agencies.
- Develop and maintain effective electronic and paper filing systems for financial and corporate records that comply with program and audit requirements.

Personnel Management

- Work with the Executive Director and staff to analyze staffing requirements and prepare job descriptions, and to develop and maintain effective hiring, training, evaluation, compensation and benefit programs.
- Participate in recruitment and placement for exempt and non-exempt positions.
- Provide training and guidance to supervisors on personnel policies, processes, and regulatory issues.
- Maintain personnel files and records and assist employees with forms and procedures.
- Administer CalPERS retirement program and health benefits program.

Board Secretary

- Attend Board meetings; and other related events, as requested.
- Schedule Board meeting times and locations, as necessary.
- Compile and oversee distribution of Boardmember information packets
- Assist Board with requests for information
- Manage communication between Board and public

Other Duties

- Answer questions from the public regarding Authority functions and policies.
- Perform all other duties as assigned by the Executive Director.
- Serve as the Authority Treasurer.
- Attend and participate in professional group meetings, stay abreast of trends and regulations in the field of public finance administration.

QUALIFICATIONS

Knowledge of

- Governmental Accounting Standard Board policies and regulations.
- Generally Accepted Accounting Principles.
- Employment Law and Workers Compensation Law.

Skill in

- Understanding budget preparation and implementation and cash flow planning.
- Ability to interpret and apply laws, regulations, policies and procedures.
- Ability to exercise sound judgment within the constraints of general policy guidelines.
- Ability to establish and maintain relationships with a wide range of government officials and the public.
- Strong oral and written communication skills.
- Ability to operate a variety of computer programs.
- Ability to supervise and coordinate staff.

Experience and Education

- A Degree in Accounting or Business Administration.
- A minimum of four years experience in financial and administrative services in a supervisory capacity.

Special Qualifications or Licenses

- Must have a valid California drivers' license.



JOB DESCRIPTION

Project Manager, Organic Waste Diversion

SUMMARY

This is a full-time, exempt position with administrative, planning and reporting responsibilities. The Project Manager administers and monitors Organic Waste Diversion programs, program budgets, and grants. This position oversees data collection and report preparation necessary for project development and state compliance mandates; conducts research and prepares documents related to HWMA policies and state legislation. The Project Manager is responsible for interacting with the regulatory agencies, local government officials, commercial businesses, and waste haulers to assist in increasing organic waste diversion programs. Additional duties include the development of other organic waste resources such as the landfill gas at Cummings Road as well as other energy related projects at HWMA.

SUPERVISION RECEIVED AND EXERCISED

The Project Manager reports to the Executive Director and may supervise program staff.

TYPICAL DUTIES

Project Management

- Work with the Executive Director to develop and maintain Authority wide plans concerning organic waste diversion.
- Work with the Executive Director to prepare staff reports for HWMA board review.
- Work with the Executive Director to develop and maintain Project budgets.
- Develop programmatic advertising and educational information including: brochures, print and TV ads, hotline, media interviews.
- Develop and administer project related grants.
- Develop and maintain cooperative partnerships with other agencies.
- Represent HWMA at related working groups, policy discussions, and committees.

Policy Management

- Evaluate and edit reports from outside consultants regarding policy options.
- Collect supporting data for RFPs; prepare and review RFPs.
- Assist Executive Director with HWMA rate and ordinance research.
- Present new legislative information to other public agencies.

Compliance Management

- Supervise compliance reports required by HWMA procedures or regulatory agencies.

Other Duties

- Answer questions from the public regarding Authority functions and policies.
- Attend Board meetings and other related events as requested.

- Perform all other duties as assigned by the Executive Director.
- Attend and participate in professional groups to stay abreast of trends and regulations in program related fields.

QUALIFICATIONS

Knowledge of

- Local integrated waste management system and rate structures.
- Basics of anaerobic digestion and composting.
- CA Integrated Waste Management Act (AB 939).
- CA AB 32 goals and climate change science.
- Grant writing and reporting.
- Sustainable waste management strategies.
- Outreach and education principles.

Skill in

- Understanding budget preparation and implementation.
- Research design; data collection and interpretation.
- Public interaction and education.
- Ability to interpret and apply laws, regulations, policies and procedures.
- Ability to establish and maintain relationships with a wide range of government officials and the public.
- Strong oral and written communication skills.

Experience and Education

- A Master's Degree in Environmental Science or related field.
- A minimum of four years experience in organic waste policy development.

Special Qualifications or Licenses

- Must have a valid California drivers' license.



JOB DESCRIPTION

Administrative Assistant

SUMMARY

This is a full-time, non-exempt position with administrative and clerical responsibilities and requires contact with the general public. This position assists all departments in the performance of administrative and general office work to ensure effective and efficient operations.

SUPERVISION RECEIVED AND EXERCISED

The Administrative Assistant reports to the Administrative Services Manager.

TYPICAL DUTIES

Administrative Duties

- Maintain permanent Board meeting files.
- Prepare documents and reports for the Administrative Services Manager.
- Type correspondence, reports and other documents.
- Maintain contract and general office files.
- Coordinate repairs to office equipment.
- Greet and assist visitors.
- Answer phones and provide information to the public.
- Prepare correspondence and answer public inquiries.

Other Duties

- Take and distribute notes for project meetings, as requested.
- Take and distribute notes from regular supervisor's meetings; provide updates on current projects and goals.
- Coordinate team meetings, maintain project schedules, provide reminders for task completion, as requested
- Assist with data collection and reporting for projects, as requested by project managers.
- Provide backup for scale attendants; mobile and on-site event greeting.

QUALIFICATIONS

Knowledge of:

- Proper English usage, spelling, grammar, and punctuation.
- Office administration and bookkeeping procedures.
- Analytical and problem solving techniques.
- Time management skills.
- Able to communicate effectively with the public.

Skill in:

- Following oral and written instructions.
- Dealing tactfully and courteously with the public and other staff.
- Operating a computer and other common office machines.
- Creating intermediate level Excel and Word documents.
- Organize time and tasks to meet deadlines.
- Performing varied clerical work.

EXPERIENCE AND EDUCATION

- High School Diploma or GED.
- Minimum of two years experience in general office procedures and one year experience in general accounting procedures.
- Any combination of experience and education that could provide entry level knowledge of office and accounting procedures.

SPECIAL QUALIFICATIONS AND/OR LICENSES

- Must have valid California drivers' license.



**HUMBOLDT WASTE
MANAGEMENT AUTHORITY**

Staff Report

DATE: November 10, 2011

FROM: Jim Test, Executive Director

SUBJECT: Item 8
Six Month Employment Contract with J. Test to Serve as Special Projects
Manager.

RECOMMENDED ACTION:

Approve Six Month Employment Contract with J. Test to Serve as Special
Projects Manager.

DISCUSSION:

The Special Projects Manager is a temporary position that will oversee three projects identified: Cummings Road Landfill/Burn Dump, Organic Waste Diversion and Recruitment. Having a separate manager for these on-going projects will allow the Interim Executive Director to concentrate on the day-to-day operation of the Authority. Once a permanent Executive Director is installed, the Board may reassess the need for this position.

The proposed contract term is six months, from January 3, 2012 through June 30, 2012. The Board may terminate this position with ten (10) days notice at any time. The Special Projects Manager is a half-time position with a monthly salary of \$4,250. No health, time-off, or other benefits are provided by this contract.

ATTACHMENTS:

Agreement for Employment of Special Projects Manager

**AGREEMENT FOR EMPLOYMENT
OF SPECIAL PROJECTS MANAGER**

THIS AGREEMENT is made and entered into this ____ day of_____, 2011, by and between the Humboldt Waste Management Authority, a joint powers public entity formed pursuant to California Government Code Section 6500, et seq., hereinafter referred to as "AUTHORITY," and James A. Test, hereinafter referred to as "MANAGER."

SECTION I. EMPLOYMENT:

A. Appointment of Special Projects Manager.

The Board of Directors of the AUTHORITY hereby appoints MANAGER to the position of Special Projects Manager to perform such duties and functions as the Board of Directors shall from time to time assign. MANAGER shall serve at the pleasure of the Board of Directors.

B. Term of Agreement.

1. The term of this Agreement, unless terminated earlier as provided hereafter, shall be for a six-month term, commencing January 3, 2012, and expiring on June 30, 2012.
2. Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of the AUTHORITY to terminate this Agreement at any time, or the right of MANAGER to resign at any time from his position, as set forth below.

C. Termination of Employment.

1. Notwithstanding the provisions of Section B, the Board of Directors may terminate this Agreement with or without cause upon ten (10) working days' written notice.
2. MANAGER may terminate this Agreement by giving the AUTHORITY thirty (30) days' written notice in advance of termination.

SECTION II. POWERS, DUTIES, AND RESPONSIBILITIES:

A. Employment Duties.

MANAGER shall function as a Special Projects Manager for the AUTHORITY and shall perform such duties as may be assigned by the Board of Directors including, but not limited to:

1. Cummings Road Landfill Closure/Post Closure Plan, manage approval process and closure construction activity;

2. Burn Dump, manage negotiations;
3. Organic Waste Diversion Program, provide oversight of pilot collection project and RFP;
4. Executive Director Recruitment, assist the Board and Counsel during the process.

B. Hours of Work.

MANAGER is expected to devote necessary time outside normal office hours to business of the AUTHORITY, including but not limited to attending Board of Director meetings and study sessions, and other meetings as requested by the Board Chair. To that end, MANAGER shall be allowed flexibility in setting his own office hours.

1. MANAGER and AUTHORITY concur that this is a half-time position rated at twenty (20) hours per week.

SECTION III. COMPENSATION OF MANAGER:

A. Salary.

MANAGER shall be employed at the monthly salary of \$4,250.00 and shall be paid bi-monthly.

B. Benefits, Vacation, Holiday, Sick Leave, and Compensatory Time.

Benefits, including health care and paid time off, are not provided by this contract.

SECTION IV. MISCELLANEOUS PROVISIONS:

A. The text herein shall constitute the entire Agreement between the parties.

B. If any provision, or portion thereof, contained in this Agreement is held unconstitutional, invalid or unenforceable, the remainder of this Agreement, or portion thereof, shall be deemed severable, shall not be affected, and shall remain in full force and effect.

C. In the event that either party to this Agreement brings a lawsuit to enforce or interpret any provisions of this Agreement, the prevailing party shall be entitled to recover their reasonable attorneys' fees and related expenses and costs.

D. This Agreement shall be governed by the laws of the State of California.

E. The parties agree that any ambiguity in this Agreement shall not be construed or interpreted against, or in favor of either party.

F. This Agreement contains the full agreement of the parties. Any modification or change in this Agreement shall not be binding on either party unless such change or modification is in writing and signed by both parties.

G. The AUTHORITY shall defend, hold harmless, and indemnify the MANAGER against any tort, professional liability claim, or demand or other legal action, whether groundless or otherwise, arising out of any alleged act or omission occurring during MANAGER's tenure, including without limitation, claims arising out of personnel actions taken by MANAGER. The AUTHORITY shall defend, compromise and settle any such claim or suit, and shall pay the amount of any settlement or judgment rendered thereon.

IN WITNESS WHEREOF, the Authority has caused this Agreement to be signed and executed in its behalf by its Board and the Special Projects Manager has signed and executed this Agreement, both in duplicate, the day and year first written above.

AUTHORITY

**SPECIAL PROJECTS
MANAGER**

Date: _____

Date: _____

John Maxwell, Chairman

James A. Test

Approved As To Form

Date: _____

Nancy Diamond, Authority Counsel



**HUMBOLDT WASTE
MANAGEMENT AUTHORITY**

Staff Report

DATE: November 10, 2011

FROM: Jim Test, Executive Director

SUBJECT: Item 9
Review Executive Director Recruitment Process and Provide Direction to Staff.

RECOMMENDED ACTION:

Review Executive Director Recruitment Process and Provide Direction to Staff.

DISCUSSION:

One of the significant decisions facing the Board over the next few months will be recruiting an Executive Director. The first action is to decide who will manage the process. There are two main ways to recruit: hire an outside firm to manage the process, or develop an in-house process. After that decision is made the process will appear fairly similar: develop a profile, develop advertising, collect applications, settle on a review process and select an ED.

Who will manage the process?

The Board should choose one of the following management processes.

Hire an outside firm to manage the process. An outside headhunter could bring additional industry contacts to the table, and could conduct a more thorough nationwide search. If the Board would like to take this course, staff could solicit proposals from executive recruiting firms. The Board could set up a sub-committee, or use the full Board, to interview and select a firm. Once a firm was hired, they would help the Board develop the remainder of the process. Staff has worked with the Executive Committee to review recruiting options and we recommend that hiring a consulting team is the best approach.

Develop an in-house process. The Board could designate the Authority Counsel and the current Executive Director as a project management team. There is concern that a nationwide search would not be that helpful because California solid waste and recycling regulations are significantly different than other States. A local team would focus on California, and be able to respond faster to Board questions and requests. Local staff will be required in either process to coordinate meetings and meeting locations for local reviewers.

What is the process?

After the decision is made about who will manage the process, the next steps would be somewhat similar: develop a profile, develop advertising, collect applications, develop a review process and select an ED.

Develop a profile. The team would work with the Board, the Executive Committee, and senior HWMA staff to develop a profile of the ideal candidate including, skills, experience, and salary range.

Develop advertising. The team would work with the Board to prepare a recruiting brochure and display advertisement. A sample brochure and ad from our last recruitment are attached. We would focus placement in California print and web-based outlets for both solid waste and recycling

Collect applications. The team will work with the Board to develop an application packet. A sample checklist from our last recruitment is attached. There should be a 45 day application period. The team will gather applications and check for completeness.

Develop a review process. Staff would suggest the following review process:

- The team will review applications and rank them for interviews by the Board;
- The team will work with the Board and the applicants to develop interview schedules;
- The Executive Committee will interview applicants and send a recommendation to the Board;
- Senior HWMA staff will interview applicants and send a recommendation to the Board;
- The full Board will interview applicants and review the recommendations from the Executive Committee and the staff;
- The Board will interview and select a candidate;
- The team will conduct required background checks before the Board announces a selection.

How long will this take?

The team would work with the Board, the Executive Committee, and senior HWMA staff through December and have a package for Board approval at the January 2012 meeting. The Board could make a selection in April 2012 and a new Executive Director could start in May or June 2012.

ATTACHMENTS:

Sample Ad

Sample Brochure

Sample Application Checklist

The Humboldt Waste Management Authority is seeking an Executive Director with vision and excellent management skills to lead the organization, with an annual budget of \$9.3 million and staff of 35. The Humboldt Waste Management Authority is a regional joint powers authority that handles integrated waste management issues for five cities (Arcata, Blue Lake, Eureka, Ferndale, and Rio Dell) and the unincorporated County. HWMA owns the central transfer station, which is located in Eureka. All waste, approximately 65,000 tons per year, is exported out of county by truck. The transfer station in Eureka also includes a recycling drop-off center, a green waste drop-off site, and a household hazardous waste disposal facility.

Humboldt County is located on the pacific coast 275 miles north of San Francisco. The area is noted for its scenic ocean vistas, mountains, redwood trees, and features a university and a community college. Countywide population is approximately 130,000. The HWMA offices are located in the largest city, Eureka, which has a population of approximately 30,000.

Salary is \$85,000 to \$95,000 annually (depending on qualifications and experience), with typical retirement and health benefits. For more information and to receive an application packet, call 707-268-8680 or write to HWMA 1059 West Hawthorne Street, Eureka, CA 95501. The application packet is posted on our web page at hwma.net.

Deadline for submittal of a completed application is Friday, February 17, 2012 at 3:00 p.m.

Humboldt County, California

You are invited to apply for the position of Executive Director of the Humboldt Waste Management Authority. Humboldt County is in one of the most beautiful places in America. A USDA comparison of natural amenities including climate, water and landscape concluded that Humboldt County, California is the most scenic rural county in the United States. Humboldt County is located in the heart of northern California's coastal redwood region. The Redwood Coast is a paradise for all outdoor activities, including hiking, backpacking, fishing, river rafting, kayaking, and more.

The County's two million acres include hundreds of streams and lakes, as well as county, state and national parks, beaches and campgrounds. Humboldt State University and College of the Redwoods provide excellent educational opportunities, as well as a variety of culturally enriching activities.

Eureka, the County seat and home of the HWMA office, is located 275 miles north of San Francisco, and overlooks historic Humboldt Bay. Humboldt County is an ideal area for individuals and families who seek a relaxed pace of life. With moderate weather all year round and a lively local arts scene, Humboldt County offers the best of community living, without the stress and burdens of the more urbanized areas of California.

The Humboldt Waste Management Authority

The Humboldt Waste Management Authority is a regional joint powers authority that handles integrated waste management issues for five cities (Arcata, Blue Lake, Eureka, Ferndale, and Rio Dell) and the unincorporated County. Each member jurisdiction appoints an elected official to the HWMA Board. HWMA owns the central transfer station, which is located in Eureka. All waste, approximately 65,000 tons per year, is exported out of county by truck. The transfer station in Eureka also includes a recycling drop-off center, a green waste drop-off site, and a household hazardous waste disposal facility.

The budget for HWMA operations is \$9.3 million per year. Revenues are collected through tipping fees assessed to waste that is processed through the HWMA system.

HWMA owns the historic local landfill, which is undergoing closure. It is expected that final closure will be completed in the summer of 2012/13. Landfill closure and maintenance is funded by a closure / post-closure trust fund.

Executive Director

The HWMA Board is seeking an individual with strong communication and analytical skills, with professional experience in the waste and recycling industry, policy development, program planning, fiscal management and facility management to serve as head of the HWMA organization. This position is being created by the retirement of the current Executive Director.

Under the general policy direction of the HWMA Board, the Executive Director plans, organizes, coordinates, and directs the programs and activities of HWMA, including annual budget development; long-range planning; personnel functions; facility operations; contract management; assistance to

member agencies on waste and recycling issues; management of capital projects; and represents HWMA in meetings with public officials, staff from other public agencies, civic groups, and various contractors.

The current HWMA staff includes an Executive Director, an Administrative Services Manager, a Landfill Manager, an Operations Manager, a Programs Manager, and a total staff of 35.



**SUBMITTAL CHECKLIST FOR
POSITION OF HWMA EXECUTIVE DIRECTOR
(Final Filing Date: Tuesday, February 7, 2006 @ 5:00 pm.)**

- ✓ • Completed HWMA application form with background-check consent form.
- ✓ • Resume
- ✓ • List of at least three professional references
- Written response to the following questions: (In answering questions four through seven below, please describe any previous experience you have had.)
 - ✓ 1. Why are you interested in this position?
 - ✓ 2. Why are you interested in living in Humboldt County, California?
 - ✓ 3. What talents and skills would you bring to the job?
 - ✓ 4. Explain your approach to budget management?
 5. Explain your approach to solid waste management?
 6. Explain your approach to waste reduction and recycling?
 7. Explain your approach to working with a board of directors?
 8. What is your experience of working with limits imposed by governmental standards, such as the Public Records Act, Brown Act which relates to public notices and open meetings, and the Fair Political Practices Act which relates to potential financial conflicts of interest?



**HUMBOLDT WASTE
MANAGEMENT AUTHORITY**

Staff Report

DATE: November 10, 2011










































FROM: Jim Test, Executive Director

SUBJECT: Item 10
Set a date for a December 2011 Board Meeting.

RECOMMENDED ACTION:
Set a date for a December 2011 Special Meeting.

DISCUSSION:

HWMA does not usually schedule a Board meeting in December. There are a number of projects that staff feels need to be addressed in December and would suggest that the Board hold a special meeting on December 8 at 6:30pm in the usual location.

   Subject	Status	Due Date	% Complete	Categories
 Categories: Administration (6 items)				
 Prepare & Administer Recycling Processing Agreement	Completed	Thu 7/14/2011	100%	Administration
 Develop MOU for Recycling Services	Completed	Thu 7/14/2011	100%	Administration
 Develop List of Qualified Contractors	In Progress	Thu 1/12/2012	10%	Administration
 Revise Rio Dell Franchise and Ordinance to Include M...	Deferred	Thu 3/8/2012	50%	Administration
 Work with the City of Trinidad on joining JPA	In Progress	Thu 11/10/2011	50%	Administration
 Revise JPA Agreement	Not Started	Thu 1/12/2012	0%	Administration
 Categories: Cummings Road Landfill (5 items)				
 Landfill gas utilization project	In Progress	Thu 1/12/2012	25%	Cummings Road L...
 Permanent Office for Cummings Road	In Progress	Thu 4/12/2012	25%	Cummings Road L...
 Report of Waste Discharge	Completed	Thu 10/13/2011	100%	Cummings Road L...
 Define Limits of Waste	Completed	Thu 10/13/2011	100%	Cummings Road L...
 Cummings Road Closure plan	In Progress	Thu 11/10/2011	50%	Cummings Road L...
 Categories: Facility Maintenance (2 items)				
 Remodel Scale House	Deferred	Thu 1/12/2012	10%	Facility Maintenance
 Repair perimeter drainage at back of tip building	Completed	Thu 10/13/2011	100%	Facility Maintenance
 Categories: Green Waste (2 items)				
 Renegotiate Compost Facility Agreements	Not Started	Thu 1/12/2012	0%	Green Waste
 Renew Arcata Grenwaste Drop-off Contract	In Progress	Thu 1/12/2012	25%	Green Waste
 Categories: Hauling&Disposal (1 item)				
 Renew ERD Transportation Contract	In Progress	Thu 11/10/2011	25%	Hauling&Disposal
 Categories: Personnel (1 item)				
 Review Personnel Manual	Not Started	Thu 2/9/2012	0%	Personnel
 Categories: Planning (3 items)				
 Develop Regional Agency	In Progress	Thu 11/10/2011	25%	Planning
 Review EPA Brownfield Grant, Hawthorne Street	Deferred	Thu 2/9/2012	0%	Planning
 Strategic Plan, Phase 1	In Progress	Thu 1/12/2012	25%	Planning
 Categories: Programs (7 items)				
 Manage Waste Characterization Study	In Progress	Thu 11/10/2011	25%	Programs
 Implement HWMA Tire Amnesty Program	In Progress	Thu 1/12/2012	50%	Programs
 Review food waste grant and financing options	In Progress	Thu 1/12/2012	50%	Programs
 C&D Recycling Ordinance	Deferred	Thu 3/8/2012	0%	Programs
 Revise HIW Satellite Collection Center Contracts	Completed	Thu 6/9/2011	100%	Programs
 Revise Local Task Force Ordinance	Deferred	Thu 3/8/2012	0%	Programs
 Redwood Valley Container Site Contract	Completed	Thu 7/14/2011	100%	Programs
 Categories: Technology Upgrades (2 items)				
 Review use of automated commercial scale	Deferred	Thu 2/9/2012	0%	Technology Upgra...
 Revise Filing System	Deferred	Thu 2/9/2012	25%	Technology Upgra...