

MAYOR ROSANNE S. FOUST
VICE MAYOR DIANE HOWARD

MINUTES

COUNCIL MEMBER ALICIA C. AGUIRRE
COUNCIL MEMBER IAN BAIN
COUNCIL MEMBER JIM HARTNETT
COUNCIL MEMBER JEFF IRA
COUNCIL MEMBER BARBARA PIERCE

1017 MIDDLEFIELD ROAD
REDWOOD CITY, CA

SPECIAL MEETING
CITY COUNCIL
April 20, 2009
6:00 P.M.

1. CALL TO ORDER

2. ROLL CALL – All Council Members present

Staff present: City Manager Ingram, City Attorney Yamamoto, City Clerk Vonderlinden, Deputy City Clerk Wong, Director of Finance and Financial Planning Ponty.

Others Present: Housing and Human Concerns Committee Members Bondonno and Wright, Planning Commissioner Borgens.

3. PLEDGE OF ALLEGIANCE – Ian Bain, Council Member

4. SPECIAL ORDERS OF THE DAY – None

5. ORAL COMMUNICATIONS - None

6. **STAFF REPORT** *(Item continued from April 13, 2009 Council Meeting)*

- A. Recommendation for Shoreway Recycling and Disposal Center Facility Operator – *Continued from April 13, 2009 – No recommendation changes were made, but additional items available.*

Recommendation:

Alternative 1:

Provide Redwood City's Board representative with direction on how to vote on this matter at the April 23, 2009 South Bayside Waste Management Authority (SBWMA) Board meeting, including how to respond in the event of the Board becomes "deadlocked" in this matter.

Alternative 2:

Staff recommends that the City Council direct the Redwood City's Board representative to vote to accept the selection committee's recommendation and begin negotiating an agreement with South Bay Recycling, LLC (SBR) for the operation of the Shoreway Recycling and Disposal Center (SRDC).

Council may also, as an element of this alternative, direct the City's Board representative to request that the SBWMA allow SBR to recover the additional costs associated with the sorters being covered by a collective bargaining agreement. **(209)**

Mr. Ponty, Director of Finance and Financial Planning Services, provided a brief overview on the matter. He explained this is a continued item and this is not the final step in this process. He reiterated that at last week's meeting the sorters were extensively discussed. As a matter of background Mr. Ponty added that the evaluation committee spent over 1,100 hours reviewing the seven proposals and the selection committee has spent about 500 hours and 96 hours of presentations to various City Councils. This for a total of approximately 1,700 hours into this project. Mr. Ponty introduced Hilary Gans, Facilities Operations Contracts Manager with SBWMA, to provide some additional context. He provided details on the matter of the MRF sorters as well as the fixed price arrangement (presentation on file). Mr. Gans addressed the Council and explained the issue of the sorters and the history of this workforce.

Mayor Foust asked the representative from Hudson Baylor to address the Council.

Mr. Scott Tenney Penny addressed the Council and presented documents to the Council detailing the response levels of his company. He commented that they have a clean environmental record and in addition they met many of the RFP requirements. He opined that his bid maximized the material diversion. Mr. Tenney said that his bid was complete from the beginning and they did not make any changes. He believes they would be the best bidder for the money.

Mr. Dan Domonoske, Vice President for SBR, reiterated that his company will serve San Mateo County with savings in the scale of \$16 million over the course of the contract. He said that they have developed ways to reutilize garbage and compost. He provided details on the innovative ways this company uses recycling and how they approach recovery. He spoke about various green options and promised exceptional customer service. Mr. Domonoske said that his company values lasting relationships and they employ teamster unions in other areas.

Public Comment:

Shelley Kessler, a representative from the San Mateo County Central Labor Council, with time ceded to her from Dennis Kruger, stated that she sent two letters to Council questioning SBR's (South Bay Recycling, LLC) business practices. She opined that SBR is not the right choice (in reference to the Shoreway Recycling and Disposal Center Facility Operator agenda item) and she made mention of the MRF sorters and other environmental issues.

Council asked Mr. Gans about the elements that made SBR's bid stand out. One Council Member asked if there was a difference between the two firms on how to divert and convert materials. Mr. Gans said that SBR was more detailed and explicit. He explained that SBR is extremely qualified when it comes to sorting solid waste streams and he explained that HBR does not do any of this right now. He explained that the selection and the evaluation committees visited various facilities from each of the bidders.

One Council Member asked about the history around Vocational Resources Services. Mr. Gans provided some historical information. He also explained what liquidated damages means in real terms. One Council Member would like to see some check-in points whereby Council could be assured that the delivery of services is occurring. Mr. Gans offered to create milestones to be included in the agreement. **There seemed to be Council consensus to include this in the agreement.**

Cost was discussed and questions posed regarding the possible steps taken to track it. Mr. Gans explained that it is being done now and Mr. Ponty is keeping track of all this which is essentially the SBWMA budget. He explained this is a fixed price contract and so unless there is a *force majeure* then no changes are expected. On the issue of cost one Council Member asked about a one-time original cost adjustment which is equivalent to CPI adjustment.

M/S Hartnett/Aguirre to approve recommendation 2 (SBR,) and if not fully approved on the first round, then Mr. Ponty to be given discretion to vote as he sees fit on the second vote.

Mayor Foust stated this was going to be a roll call vote and not an electronic vote.

Various Council Members were comfortable with the motion and the recommendation and how Mr. Ponty is solid in his position. Council thanked Mr. Ponty for the thoroughness of the work done. One Council Member thanked both bidders for their work and felt comfortable with the recommendation because, in the long term, it will serve the community. One Council Member said that it was important to have Mr. Gans present

tonight to have a better understanding of the solid waste diversion component. One Council Member believes that the MRF sorters issue will get addressed at the correct time. Various Council members made comments about their trust in the integrity of staff's analysis and position. One Council Member said that both companies are strong companies but the cost is an issue because of the benefit to the community. Another Council Member will support the motion because cost and diversion are important issues. Council Member Bain said he will not support the motion because he is not fully satisfied with what he heard. His general sense is that Hudson Baylor is better equipped to run municipal operations.

Mayor Foust was pleased to see what each bidder had to say tonight. She did her own research on this matter and that was very telling to her. She also read the entire documentation provided by staff. **Motion carries 6-1 with Council Member Bain opposing.**

7. MATTERS OF COUNCIL INTEREST

- A. Legislation (information only)** - This sub-section involves possible discussion of City Position on Proposed Legislation described in the League of California Cities City Advocate Weekly Issue No. 14-2009. Council may direct staff to act on positions taken by Council. (Copies of League of California Cities Priority Focus available in City Clerk's Department).

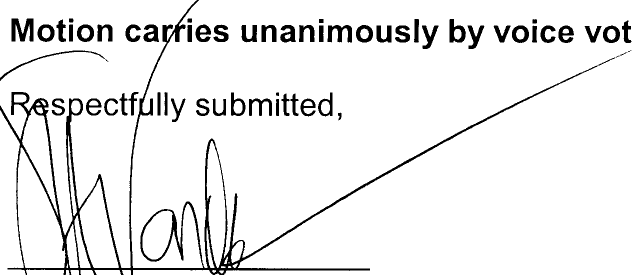
Council Member Pierce spoke about the State Propositions 1A through F and if this could be presented to the City Council. Mayor Foust said this would be discussed in the Mayor/Vice Mayor meeting.

- 8. ADJOURNMENT** – M/S Pierce/Bain and Howard (dual second) to adjourn in honor of Dimitri Melas at 7:25 p.m. Council Member Pierce provided details about his life, involvement with the Greek Orthodox Church and with the community.

Mayor Foust said that Mr. Melas admired Council Member Pierce and she has fond memories of him as well.

Motion carries unanimously by voice vote.

Respectfully submitted,



Silvia Vonderlinden,
Certified Municipal Clerk

Submitted for approval at the Council Meeting of May 18, 2009.