

BOARD OF DIRECTORS

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Vice Chair

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BRUCE DELGADO

CARRIE THEIS

DAN ALBERT

KIM SHIRLEY

WENDY ROOT ASKEW



TIMOTHY S. FLANAGAN
General Manager

GUY PETRABORG, P.E., G.E.
Director of Engineering & Compliance

PETER SKINNER
Director of Finance & Administration

TIM BROWNELL
Director of Operations

ZOE SHOATS
Director of Communications

ROBERT WELLINGTON
Legal Counsel

**MONTEREY REGIONAL
WASTE MANAGEMENT DISTRICT**
Home of the Last Chance Mercantile

**MONTEREY REGIONAL WASTE MANAGEMENT DISTRICT
REGULAR MEETING MINUTES**

Friday, 9:00 a.m.
January 22, 2021

MRWMD Bales Boardroom and Via Zoom
14201 Del Monte Blvd., Monterey County, CA

MEMBERS PRESENT:

Jason Campbell, (Chair) City of Seaside
Jerry Blackwelder, (Vice Chair) City of Sand City Vice Mayor
Gary Bales, City of Pacific Grove
Leo Laska, Pebble Beach Community Services District Director
Bruce Delgado, City of Marina Mayor
Carrie Theis, City of Carmel-by-the-Sea Councilmember
Dan Albert, City of Monterey Councilmember
Kim Shirley, City of Del Rey Oaks
Wendy Root Askew, (Unincorporated) Monterey County Board of Supervisors Chair
(District 4)

MEMBERS ABSENT: None

STAFF PRESENT:

Tim Flanagan, General Manager
Rob Wellington, Legal Counsel
Guy Petrabor, Director of Engineering & Compliance
Peter Skinner, Director of Finance & Administration
Tim Brownell, Director of Operations
Zoe Shoats, Director of Communications
Garth Gregson, Finance Manager
David Ramirez, Senior Engineer
Ida Gonzales, Administrative Support Specialist (Acting Board Clerk)

OTHERS PRESENT:

Mike Niccum, Pebble Beach Community Services District
Kristen Skrome, Waste Management Inc.
Keith Day, Keith Day Company Inc.
Bronwyn Nielson, Monterey Bay Air District
Greg Simmons

MONTEREY REGIONAL WASTE MANAGEMENT DISTRICT

JANUARY AUTHORITY MEETING

**CALL TO ORDER AT 9:04 AM (IMMEDIATELY FOLLOWING AUTHORITY
MEETING)**

ROLL CALL AND ESTABLISHMENT OF QUORUM

Notice duly given and presence of a quorum established, the January 22, 2021 Regular Meeting of the Monterey Regional Waste Management District Board of Directors was called to order by Chair Theis at 9:04 a.m.

ELECTION OF OFFICERS FOR CALENDAR YEAR

Following recommendation from the Nominating committee the Board appointed Director Campbell to serve as Chair and Director Jerry Blackwelder to serve as Vice Chair.

It was moved by Director Delgado, seconded by Director Laska and unanimously carried To appoint Director Campbell to serve as Chair and Director Jerry Blackwelder to serve as Vice Chair.

WELCOME NEW BOARD MEMBERS

Director Campbell welcomed new Board Members Wendy Root Askew and Kim Shirley to the Board.

PUBLIC COMMUNICATIONS

Anyone wishing to address the Board on matters *not* appearing on the Agenda may do so now. *Please limit comments to a maximum of three (3) minutes.* The public may comment on any other matter listed on the agenda at the time the matter is being considered by the Board.

Public comments were made by Waste Management Inc. and members of the public.

CONSENT AGENDA

Following a motion by Director Askew seconded by Director Delgado, the Board unanimously approved the Consent Agenda items 2-4.

Following a motion by Director Delgado seconded by Director Albert, the Board approved the Consent Agenda item 1 Director Askew Abstained.

- 1) **Approve Minutes of December 4, 2020 Regular Board Meeting.**
- 2) **Approve Report of Disbursements, and Board and Employee Reimbursements for November/December 2020.**
- 3) **Receive Report on December 2, 2020 and January 13, 2021 Finance Committee Meeting.**
- 4) **Receive Report on December 2, 2020 and January 13, 2021 Personnel Committee Meeting.**
- 5) **Adopt Resolution of Appreciation (2021-01) for Outgoing Director Jane Parker**

RECOGNITION /PRESENTATIONS

- 6) **Presentation of Resolution of Appreciation to Jane Parker**

Chair Campbell read the Resolution of Appreciation for Jane Parker. The Board and General Manager expressed appreciation for Director Parker for her dedication to the district during important changes. Director Parker was not present at the meeting.

7) Presentation by Greg Simmons Marina Resident on Odor Observations

General manager introduced Greg Simmons. Mr. Simmons thanked the Board and Staff for allowing him to provide a presentation at the Board meeting. The purpose of his presentation was to provide background for the Board that may assist with future decision making. He presented a power point presentation that was provided to the Board and posted on the District website.

Chair Campbell thanked Mr. Simmons for his presentation and reminded everyone that a virtual community meeting would be held on January 27th at 6:30 p.m. on this topic.

OTHER ITEMS FOR BOARD CONSIDERATION, DISCUSSION AND ACTION**8) Authorize General Manager to Execute 2 -Year Lease Agreement with Keith Day Company, Inc. for Composting Facilities (Subject to Final Review by Legal Counsel) at an Initial Annual Rate of \$44,081.**

Staff recommended approval of a 2-year lease agreement with Keith Day Company Inc. Staff also placed additional odor control language from the operator's permit into the lease agreement.

Director Delgado thanked staff for reworking the lease and for assisting with the setup the January 27th virtual community meeting. Director Delgado inquired about the District possibly providing funding for the odor study. General Manager responded that the District will be reviewing and partnering with additional agencies to be a co-contributors of information and funding for the study. The District is looking forward to participating in the study.

Director Shirley referenced page 5 of the contract under odor protocol and how the community would be able to report odor observations and odor complaints. General Manager responded that odor complaints are currently logged by Air District and they notify the complaints and the agencies potentially causing the odor. When complaints are received by the District they are observed and followed up on.

Bronwyn Nielson, Air Quality Compliance Inspector with the Monterey Bay Air District commented that the Odor management plan listed in the contract is regulated under Monterey County Health Department. Complaints should also be provided to the county since they are the agency that regulate the Odor Management Plan. Ms. Nielson stated that the Air district will take all complaints and log them. They then contact the Monterey County Health Department and complaint. Following contact an email is sent to the associated regulatory agencies and also to the potential generator of the odor.

Director Delgado thanked the community for joining the call. He also suggested the possibly that the community be notified when the compost was scheduled to be turned. General Manger explained that the suggestion would be difficult to address because the composting operation is active throughout the day. Wind conditions are monitored and compost turning is interrupted when proper wind conditions are not present. Director Delgado thanked Keith Day for helping "turning waste into resources" and hopes to unify with the community and come to an agreement.

Public comments were made regarding environmental justice, appreciation for adding community input to the lease changes and support of odor study.

It was moved by Director Delgado, seconded by Director Askew and unanimously carried To Authorize General Manager to Execute 2 -Year Lease Agreement with Keith Day Company, Inc. for Composting Facilities (Subject to Final Review by Legal Counsel) at an Initial Annual Rate of \$44,081.

Motion Passed

9) **Approve Proposed Amendment to Fiscal Year Budget for Fiscal Year 2020/21**

Peter Skinner, Director of Finance and Administration presented the amended Fiscal Year Budget for Fiscal Year 2021. It was necessary to create an amended budget for this Fiscal Year due to the unknowns in the original approved budget. Following the approval of the FY 20/21 Budget in June, staff committed to provide quarterly budget reports to the Board. Director Skinner's presentation included reviewing the original budget and the proposed changes. He provided information on the reversal of wage concessions and on staffing changes.

Director Skinner also discussed the bonus included in the amended budget that recognizes front-line staff for continuing to prevent wide-spread COVID-19 outbreaks at the District. He estimated the cost of a COVID-19 outbreak could be greater than \$200,000 a week. Legal counsel is reviewing the details and staff will provide more information on the implementation of this bonus at a future meeting. The Board received a copy of the amended Budget with proposed changes. This item also was presented to the Finance Committee.

Director Laska was concerned with the providing an incentive to employees when some have lost employment at the District. Director Skinner expressed appreciation for Director Laska's comments and understood the optics. This is an appreciation to employees to recognize the additional responsibilities and challenges employees have had.

It was moved by Director Albert , seconded by Director Theis and Approved by Directors Bales, Thesis, Albert, Shirley, Askew, Vice Chair Blackwelder Chair Campbell Opposed by Director Laska To Approve Proposed Amendment to Fiscal Year Budget for Fiscal Year 2020/21.

Absent – Director Delgado

Motion Passed

10) **Approve Revised Pay Schedules for:**

- a) Operating Engineers Local 3 Support Unit – Addition of Compliance Support Assistant to the Support Unit, Incorporating a 3.5% Cost of Living Adjustment (COLA) for the Compliance Support Assistant Effective July 1, 2020; Elimination of Executive Assistant/Board Clerk from the Support Unit
- b) Management Unit - Incorporating a 1.5% Cost of Living Adjustment (COLA), effective July 1, 2020 to Eligible Positions.
- c) Unrepresented Positions - Incorporating a 3.5% Cost of Living Adjustment (COLA) for the Human Resources Technician and Human Resources Assistant, Effective July 1, 2020; Reversal of 5% Pay Cuts to the Director Positions, effective July 1, 2020; Incorporating a 1.5% Cost of Living Adjustment (COLA), effective July 1, 2020 to Eligible Positions; Addition of Executive Assistant/Board Clerk to the Unrepresented Positions Unit.

Berta Torres, Human Resources Manager provided the Board with revised pay schedules outlined in the Amended Fiscal Year 2020/21 Budget. Information on the pay schedule changes was also included during the amended budget presentation.

It was moved by Director Albert, seconded by Director Laska and unanimously carried To Approve Revised Pay Schedules for: a) Operating Engineers Local 3 Support Unit – Addition of Compliance Support Assistant to the Support Unit, Incorporating a 3.5% Cost of Living Adjustment (COLA) for the Compliance Support Assistant Effective July 1, 2020; Elimination of Executive Assistant/Board Clerk from the Support Unit b) Management Unit - Incorporating a 1.5% Cost of Living Adjustment (COLA), effective July 1, 2020 to Eligible Positions. c) Unrepresented Positions - Incorporating a 3.5% Cost of Living Adjustment (COLA) for the Human Resources Technician and Human Resources Assistant, Effective July 1, 2020; Reversal of 5% Pay Cuts to the Director Positions, effective July 1, 2020; Incorporating a 1.5% Cost of Living Adjustment (COLA), effective July 1, 2020 to Eligible Positions; Addition of Executive Assistant/Board Clerk to the Unrepresented Positions Unit.

*Director Delgado – Absent
Motion Passed*

- 11) That the Board of Directors 1) Adopt Resolution 2021-02 authorizing the sole source purchase of one new TarpArmor Automatic Tarping Machine to include one additional tarp spool. 2) Accept the proposal (attached) from Southwestern Sales Co, of Rogers, AZ dated December 17, 2020, to provide a TarpArmor automatic tarping machine with additional spool for a total price of \$74,024.94 (including sales tax and freight).

Tim Brownell Director of Operations presented on the need for the purchase of the new TarpArmor Automatic Tarping machine. The tarping machines are used daily to cover landfilled material, capture odor and minimize vectors. The new machine will replace equipment purchased in 2004.

It was moved by Director Bales, seconded by Director Albert and unanimously carried To 1) Adopt Resolution 2021-02 authorizing the sole source purchase of one new TarpArmor Automatic Tarping Machine to include one additional tarp spool. 2) Accept the proposal (attached) from Southwestern Sales Co, of Rogers, AZ dated December 17, 2020, to provide a TarpArmor automatic tarping machine with additional spool for a total price of \$74,024.94 (including sales tax and freight).

Motion Passed

STAFF REPORTS

- 12) Report on Last Chance Operations Plan Update and Presentation by “Veterans Transition Center of Monterey County” and “The Bridge/Second Chance”.

In order to avoid conflict of interest Director Bales to recused himself from this item.

Presentations were provided to the Board by the Veterans Transition Center of Monterey County and The Bridge Restoration Ministries/Second Chance Thrift Store. Both presented information about their organizations and on their approaches to operating the Last Chance Mercantile. Responses by both organizations to the District’s RFQ, and to follow-on questions asked by District staff, were presented to the Board and included in the Board packet. Board discussion followed,

with questions regarding the staffing, organizational structure, operational costs and community initiatives.

Director Tim Brownell commented that the former staff was not responsible on the financials of the store but focused on the movement of the material and community engagement. Feedback was provided to the LCM project team from former LCM employees on how to enhance sales and move materials. A model was not presented on a District staff option at this meeting. At a future meeting information on a District operated option will be provided to the Board. Staff will review both RFQ's and provide a recommendation to the Board for or further discussion.

Public Comment

Former General Manager David Meyers provided comment that he was glad that the Board is considering proposals and considering utilizing former employees.

David Sawyer former Supervisor at the Last Chance Mercantile also provided comment.

13) **California Air Resources Board (CARB) and Monterey Bay Air Resources District (MBARD) Landfill Inspection Update.**

Information on the Landfill Inspection was provided to the Board.

14) **Review Finance, Operating, and Recycling Reports.**

Garth Gregson provided a report the Financial Statements provide to the Board.

15) **Report on December 9, 2020 District Technical Advisory Committee Meeting (TAC).**

Angela Goebel Public Education Assistance provided a brief history of SB1383 and provided an update on the work the District and the TAC. Meetings have included a joint effort to strategize a to roll out of information to the public on SB 1383. Three committees have been created collection & education; monitoring, reporting and enforcement; and edible food recovery. Presentations will be provided to member agencies and the District Board at a future meeting.

GENERAL MANAGER COMMUNICATIONS

General manager had no additional comments. He provided information in the General Managers report that Directors Delgado, Campbell, and Blackwelder have all been reappointed to represent their cities to serve on the District Board for a four-year term.

OTHER CORRESPONDENCE

There was no correspondence to report.

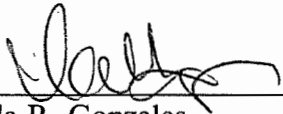
BOARD COMMUNICATIONS

16) Committee Appointments

Chair Campbell reviewed the current committee appointments and asked new Board member Kim Shirley to serve on the Finance committee and Director Askew to serve on the M1W committee along with Chair Campbell. The Personnel committee will remain the same. Director Shirley will also attend the Special District Meetings.

There being no further business to come before the Board at this time, the January 22, 2021 Regular Meeting of the Monterey Regional Waste Management District Board of Directors was adjourned by Chair Campbell at 12:20 p.m.

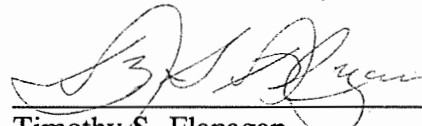
RECORDED BY:



Ida R. Gonzales

Administrative Support Specialist/Acting Board Clerk

AUTHENTICATED BY:



Timothy S. Flanagan

General Manager/Secretary