

BOARD OF DIRECTORS

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Director of Engineering & Compliance

PETER SKINNER
Director of Finance & Administration

TIM BROWNELL
Director of Operations

ZOË 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.

May 21, 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
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: Bruce Delgado, City of Marina Mayor

STAFF PRESENT:

Tim Flanagan, General Manager
Rob Wellington, Legal Counsel
Guy Petraborg, 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:

J. Fagan, Veterans Transition Center
Mike Niccum, Pebble Beach Community Services District
Ted Terrasas, City of Monterey

CALL TO ORDER AT 9:00 AM REGULAR AND SPECIAL BOARD MEETINGS

ROLL CALL AND ESTABLISHMENT OF QUORUM

Notice duly given and presence of a quorum established, the May 21, 2021 Regular Meeting of the Monterey Regional Waste Management District Board of Directors was called to order by Chair Campbell at 9:02 a.m.

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.

No Public Comments

CONSENT AGENDA

Legal Counsel provided a preliminary comment regarding agenda item 4 that included a recommendation from the Personnel committee on the reversal of wage concessions. The recommendation has been added by as a special meeting agenda item and listed as item 12a.

Following a motion by Director Blackwelder seconded by Director Askew, the Board unanimously approved the Consent Agenda.

- 1) **Approve Minutes of April 22, 2021 Regular Board Meeting**
- 2) **Approve Report of Disbursements, and Board and Employee Reimbursements for April 2021**
- 3) **Receive Report on May 5, 2021 Finance Committee Meeting**
- 4) **Receive Report on May 5, 2021 Personnel Committee Meeting**
- 5) **Authorize the General Manager to Execute a Contract with Boyds Asphalt Services for MRF and Landfill Access road Asphalt Pavement Repair in the Amount Not-to-Exceed \$60,000**
- 6) **Authorize the General Manager to Execute Contract for a Single Stream Recycling Characterization Study with SCS Engineers Not to Exceed Cost of \$134,000**
- 7) **Authorize the General Manager to execute a contract change order with Salinas Steel Builders Construction Inc. (SSB) for Maintenance Shop Improvements – Office Addition in the amount of \$39,000**
- 8) **Adopt Resolution (2021-05) Recognizing Public Works Week May 16-22, 2021.**

RECOGNITION/PRESENTATIONS

- 9) **Recognition of Materials Recovery Facility Sorter II Hortencia Fernandez, MRF Operator I Veronica Lepe and Armando Escareno; MRF Operator II Luis Cazares; and Maintenance Shop Supervisor Victor Aguillon for Over 20 Years of Service.**

General Manager recognized District Employees for their 20 years of service. Armando Escareno, MRF Operator I, Luis Cazares MRF Operator II and Victor Aguillon Shop Supervisor were present at the meeting. Board members expressed appreciation for their dedication to the District.

- 10) **Resolution 2021-05 Proclaiming May 16-25, 2021 as National Public Works Week.**

Mike Niccum, General Manager of the Pebble Beach Community Services District and representative of the APWA presented on the resolution proclaiming May 16-25, 2021 as National Public Works Week. Mr. Niccum also thanked David Ramirez, Senior Engineer for his leadership and contributions to the Math Counts Program. The Program reaches out to middle school students to promote math competition and the importance of math in future technical careers.

11) Presentation on Multi-Jurisdictional Hazard Mitigation Plan Participation

Guy Petraborg, Director of Engineering and Compliance provided a presentation on the Multi-Jurisdictional Hazard Mitigation Plan Participation and the participation benefits to the District. Monterey County Office of Emergency Services is currently revising the 2016 Hazard Mitigation Plan and is working with District staff to add the District to the 2021 revision. MCOES will provide additional information about the process at a future Board meeting.

Mr. Petraborg also reported on the potential of the District to participating in grant funding through Cal OES in conjunction with the County of Monterey. The District has several areas of exposure to natural disasters that could be significantly mitigated with funding through this program.

OTHER ITEMS FOR BOARD CONSIDERATION, DISCUSSION AND ACTION

12) Approve the General Manager Amended Pay Schedule, Effective Retroactively to July 1, 2020.

Berta Torres, Human Resources Manager presented on the General Manager pay schedule increase of 1.5% for fiscal year 2020/21, retroactive to July 1, 2020. The District has out-performed the original projected budget assumptions that led to several concessions in compensation in FY 20/21 Budget.

A motion was made by Director Albert, seconded by Director Theis, and the Board unanimously voted to Approve the General Manager Amended Pay Schedule, Effective Retroactively to July 1, 2020.

12a) Approve the Reversal of the FY 2020/21 Budget Wage Concessions and the Respective Pay Adjustments to Make Employees Whole.

Item 12a was added to the agenda by the addition of the May 21, 2021 Special Board Meeting agenda. Peter Skinner, Director of Finance and Administration provided a summary of the recommendation for the reinstatement of the wage concessions.

As part of the FY 2020/21 Budget, the Board agreed to reverse wage concessions if the District met or exceeded an operating margin of 8%. Since the District is certain to meet this goal for the 2020/21 fiscal year, staff recommended approval of the reversal of the wage concessions for all employees who participated, including the General Manager. At the June 3rd Personnel Committee meeting, the committee recommended that the Board approve the wage concession reversal. Chair Campbell thanked employees for their assistance during a very stressful time.

A motion was made by Director Albert, seconded by Director Laska, and the Board unanimously voted to Approve the Reversal of the FY 2020/21 Budget Wage Concessions and the Respective Pay Adjustments to Make Employees Whole.

13) Adopt Preliminary Budget for Fiscal Year 2021/22.

Garth Gregson, Finance Manager provided a presentation on the Preliminary Budget included in the packet. The presentation included an overview of Fiscal year 2021/22 projected revenue, operating expenses, and the capital outlay forecast. The proposed Budget does not include any tip fee increases in fiscal year 2021/22.

Mr. Gregson reviewed a summary of the budget and highlighted the reduction of out of District contract tonnage, which is down by approximately 100,000 tons. The Materials Recovery Facility revenue is expected to increase during the upcoming fiscal year. The Last Chance Mercantile operations were not included in the budget since it will be operated by the Veterans Transition Center. Included in the budget are expenses that the District will incur for the LCM facility and maintenance of the building.

Board questions followed on the District's ability to maintain a minimum 20% in cash reserves and the possibility of seeking grant options to fund capital projects.

Staff responded that the proposed Preliminary Budget includes a cash operating reserve of \$5.3 million. Staff is actively looking for grant project funding options and working with Monterey One Water to seek additional funding sources. Staff is also researching potential funding for SB1383 mandates.

The Finance committee received the draft Preliminary Budget at the committee meeting and supported the recommendation to approve the Preliminary Budget. The Final Budget will provide at the June Board meeting.

A motion was made by Director Albert, seconded by Director Askew, and the Board unanimously voted to Adopt Preliminary Budget for Fiscal Year 2021/22.

14) Approve Memorandum of Terms Between Monterey Regional Waste Management District and Veterans Transition Center of Monterey County (VTC) for Operation of the Last Chance Mercantile.

Peter Skinner, Director of Finance and Administration provided a summary of the Memorandum of Terms between the District and the VTC. Both parties have worked together to compile the terms covering the utilization of the LCM building and operation.

Mr. Skinner reviewed a change to the term sheet that includes the elimination of a pollution liability requirement as the VTC will not be handling toxic fluids and fuels. The Household Hazardous Waste Program will continue to be operated by the District and the public will still have access to the Household hazardous waste turn-ins. The presented Memorandum of Terms was approved by the VTC Board at their last board meeting.

Director Askew appreciated staff for their work on the term sheet and inquired on the possibility of co-branding with VTC. Staff responded that VTC has committed to keeping the LCM name and possibly adding “operated by VTC” to the name. Other ways to co-brand will be reviewed in the future. The full operation agreement between the District and the VTC will be provided to the Board for approval at the next Board meeting.

A motion was made by Director Askew, seconded by Director Theis, and the Board unanimously voted to Approve Memorandum of Terms Between Monterey Regional Waste Management District and Veterans Transition Center of Monterey County (VTC) for Operation of the Last Chance Mercantile.

15) Accept Report on Employee Injuries and Property Loss Incidents for Calendar Year 2020.

General manager announced that Kacey Christie, Safety manager has announced her retirement, effective September 2021. Ms. Christie provided a summary of the Safety report provided to the Board and highlighted that the District has made progress over the past few years by reducing both the number of accidents and injuries. She recognized District employees for their efforts and contributions to reduction in accidents and injuries.

A motion was made by Director Askew seconded by Director Laska, and the Board unanimously voted to Accept Report on Employee Injuries and Property Loss Incidents for Calendar Year 2020

16) Authorize the General Manager to execute a Contract Change Order with BSE General Engineering Inc. (BSE) of Descanso, CA for Gas Collection and Control System (GCC) Improvements for the Monterey Peninsula Landfill in the Amount Not-to-Exceed \$294,600.

Guy Petraborg, Director of Engineering and Compliance provided a presentation on the need to execute a contract change order with BSE for gas collection and Control System improvements.

A motion was made by Director Theis seconded by Director Askew, and the Board unanimously voted to Authorize the General Manager to execute a Contract Change Order with BSE General Engineering Inc. (BSE) of Descanso, CA for Gas Collection and Control System (GCC) Improvements for the Monterey Peninsula Landfill in the Amount Not-to-Exceed \$294,600.

STAFF REPORTS

17) Review Finance, Operating, and Recycling Reports

Garth Gregson, Finance Manager reviewed the financials from the month of April.

18) Report on Update on Technical Advisory Committee and SB1383

Zoe Shoats, Director of Communications provided an update on the Technical Advisory Committee and SB1383.

GENERAL MANAGER COMMUNICATIONS

The General Manager provided a brief overview of the items included in the General Manger’s cover memo. He reviewed a letter from MBARD regarding the District’s failure to complete a permit application for operating the H2S treatment system. Staff is working with the Air District in order to receive the authority to proceed with operations.

BOARD COMMUNICATIONS

Director Bales announced his retirement from the District Board effective June 2021 after 52 years of service. Director Bales thanked everyone he has worked with over the years and stated that he has enjoyed his experience.

Chair Campbell and General Manager thanked and appreciated Director Bales for his contributions to the Board.

CLOSED SESSION

As permitted by Government Code Section 54956 et seq., the Board may adjourn to a Closed Session to consider specific matters dealing with litigation, certain personnel matters, property negotiations or to confer with the District's Meyers-Milias-Brown Act representative.

1. Conference with Property Negotiators
Property: Landfill Site Space/Capacity
District Negotiators: Tim Flanagan, Timothy Brownell, Guy Petraborg, Peter Skinner and Zoe Shoats
Negotiating Parties: Green Waste Recovery
2. Conference with Legal Counsel--Anticipated Litigation
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of section 54956.9:
Two cases

RETURN TO OPEN SESSION WITH ANY REQUIRED ANNOUNCEMENTS FROM CLOSED SESSION

The Board came back into open session, Legal counsel announced that in closed session the Board received information as to each of the closed session items; no reportable action was taken.

ADJOURNMENT

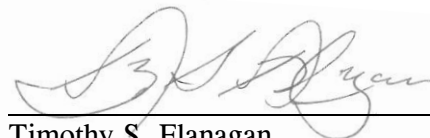
There being no further business to come before the Board at this time, the May 21, 2021 Regular Meeting of the Monterey Regional Waste Management District Board of Directors was adjourned by Chair Campbell.

RECORDED BY:



Ida R. Gonzales
Administrative Support Specialist/Acting Board Clerk

AUTHENTICATED BY:



Timothy S. Flanagan
General Manager/Secretary