

# MINUTES



## Draft Regular Meeting of the Board of Directors

October 21, 2022, 9:00 a.m.

### Board Members Present :

Chair: Jason Campbell, City of Seaside  
Vice Chair: Jerry Blackwelder, City of Sand City  
Directors: Leo Laska, Pebble Beach Community Services District  
Carrie Theis, City of Carmel-by-the-Sea  
Dan Albert, City of Monterey  
Kim Shirley, City of Del Rey Oaks  
Bill Peake, City of Pacific Grove

**Absent:** Bruce Delgado, City of Marina  
Wendy Root Askew, County of Monterey

**Staff Members Present:** Felipe Melchor, General Manager  
Rob Wellington, Legal Counsel  
Guy Petraborg, Director of Engineering & Compliance  
Zoe Shoats, Director of Communications  
Helen Rodriguez, Director of Finance & Administration  
Berta Torres, Human Resources Manager  
David Ramirez, Senior Engineer  
Garth Gregson, Accounting Manager  
Kristin O'Hara, Communications and Public Education Manager  
Ida Gonzales, Executive Assistant/ Board Clerk  
Rosemary Perez, Accounting Technician  
Erica Espinoza, Accounting Assistant  
Ana Quiroz, Administrative Support Specialist II  
Fatima Ochoa, Human Resources Assistant

### Call to Order at 9:00 a.m.

### Roll Call & Establishment of Quorum

### Pledge of Allegiance

Notice duly given and presence of a quorum established, the October 21, 2022 Regular Meeting of the Monterey Regional Waste Management District dba ReGen Monterey Board of Directors was called to order by Chair Campbell at 9:00 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. For information about submitting public comments in writing in advance of the meeting, please see the Meeting Information section of this agenda.*

No public comments

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*Let's not waste this.*



## Consent

These matters include routine financial and administrative actions, which are usually approved by a single majority vote. Individual items may be removed from consent for discussion and action.

*Agenda Item #4 was pulled from the Consent Agenda by the General Manager and Legal Counsel for further discussion.*

- 1. Approve Resolution No. 2022-21, Regarding the Ralph M. Brown Act (California Government Code §§54950- 54963, hereinafter the “Brown Act”) and Assembly Bill 361, Making Certain Findings, Re-Ratifying the Proclamation of a State of Emergency by Governor Newsom on March 4, 2020 and Re-authorizing Remote Teleconference Meetings of the District Board and its Standing Committees (i.e., Finance and Personnel) for the period October 21, 2022 through November 21, 2022. Pursuant to Applicable Brown Act Provisions.**
- 2. Approve Minutes of September 23, 2022, Regular Board Meeting.**
- 3. Approve Report of Disbursements, and Board and Employee Reimbursements for September 2022.**
- 5. Receive September 7, 2022 Finance Committee Minutes.**
- 6. Receive September 7, 2022 Personnel Committee Minutes.**
- 7. Approve 2023 Board Meeting Calendar**
- 8. Authorize Staff to Prepare a Request for Bids (RFB) and Solicit Construction Bids from Qualified Public Works Contractors for the Scale House and Public Restroom Improvement Project.**
- 9. Approve the Amended SB 1383 Shared Costs Memorandum of Understanding (MOU).**

*It was moved by Director Theis, seconded by Director Laska To: Approve the consent agenda items 1-3 and 5-9.*

***The Motion was passed by the following vote:***

<i>Director Albert</i>	<i>– Yes</i>	<i>Director Laska</i>	<i>- Yes</i>	<i>Director Theis</i>	<i>– Yes</i>
<i>Director Askew</i>	<i>– Absent</i>	<i>Director Peake</i>	<i>– Yes</i>	<i>Vice Chair Blackwelder</i>	<i>– Yes</i>
<i>Director Delgado</i>	<i>– Absent</i>	<i>Director Shirley</i>	<i>– Yes</i>	<i>Chair Campbell</i>	<i>– Yes</i>

No public comments

- 4. Authorize the General Manager to Execute a City of Marina MOU Agreement for Partial Funding of up to \$75,000 in Support of an Odor Attribution Study Subject to Concurrence to Form by General Manager, District Engineer and District Legal Counsel.**

Legal Counsel reported to the Board that the final wording in the agreement between ReGen Monterey staff and the City of Marina is still being reviewed.

*It was moved by Director Theis, seconded by Director Shirley To: Authorize the General Manager to Execute a City of Marina MOU Agreement for Partial Funding of up to \$75,000 in Support of an Odor Attribution Study Subject to Concurrence to Form by General Manager, District Engineer and District Legal Counsel.*



***The Motion was passed by the following vote:***

*Director Albert – Yes      Director Laska – Yes      Director Theis – Yes*  
*Director Askew – Absent      Director Peake – Yes      Vice Chair Blackwelder – Yes*  
*Director Delgado – Absent      Director Shirley – Yes      Chair Campbell – Yes*

No public comments

**Recognition/Presentations**

- 10. Recognition of Efrain Lopez, Shop Maintenance Manager for 20 Years of Service.**
- 11. Recognition of Israel Mendoza, Heavy Equipment Technician III for 20 Years of Service.**
- 12. Recognition of Abraham Meza, Hazardous Materials Technician for 20 Years of Service.**
- 13. Recognition of Leonardo Martinez, Sr Materials Recovery Facility Operator for 25 Years of Service.**

The Board and Management Staff recognized and thanked employees celebrating 20 and 25 years of service to ReGen Monterey.

**Discussion/Action**

- 14. Approve the Award of a Consulting Contract to GHD of Irvine, California for Phase 1 of the Joint Agency Feasibility Study for a Not-To-Exceed Amount of \$720,478 and Authorize an Additional \$150,000 of Funding to the Feasibility Study's Budget.**

Guy Petraborg Director of Engineering and Compliance presented on the recommendation by the Joint Ad Hoc Committee and staff to approve additional funding of \$150,000 for the Feasibility Study. The request includes approval of the award of a consulting contract to GHD of Irvine, California for the Joint Agency Feasibility Study Phase 1 scope of work in an amount not-to-exceed \$720,478 and authorize an additional \$150,000 of capital funding to the Feasibility Study's Budget.

*It was moved by Director Laska seconded by Albert To: Approve the Award of a Consulting Contract to GHD of Irvine, California for Phase 1 of the Joint Agency Feasibility Study for a Not-To-Exceed Amount of \$720,478 and Authorize an Additional \$150,000 of Funding to the Feasibility Study's Budget.*

***The Motion was passed by the following vote:***

*Director Albert – Yes      Director Laska – Yes      Director Theis – Yes*  
*Director Askew – Absent      Director Peake – Yes      Vice Chair Blackwelder – Yes*  
*Director Delgado – Absent      Director Shirley – Yes      Chair Campbell – Yes*

- 15. Approve \$600,000 of Additional Funding to Amend the WMD-AWPF Medium Voltage Project Budget from \$3.89 Million to \$4.49 Million for Design Modifications to Develop MicroGrid Capabilities for this Electrical Connection.**

Guy Petraborg, Director of Engineering and Compliance provided a summary of staffs request for additional funding to Amend the WMD-AWPF medium voltage project budget. Staff requests that the Board approve \$600,000 of additional funding to amend the WMD-AWPF



Medium Voltage Project budget from \$3.89 Million to \$4.49 Million for design modifications to develop microgrid capabilities for this electrical connection. Board discussion followed on the economics of the agreement.

*It was moved by Director Albert, seconded by Director Theis To: Approve \$600,000 of Additional Funding to Amend the WMD-AWPF Medium Voltage Project Budget from \$3.89 Million to \$4.49 Million for Design Modifications to Develop MicroGrid Capabilities for this Electrical Connection.*

**The Motion was passed by the following vote:**

Director Albert – Yes	Director Laska – Yes	Director Theis – Yes
Director Askew – Absent	Director Peake – Yes	Vice Chair Blackwelder – Yes
Director Delgado – Absent	Director Shirley – Yes	Chair Campbell – Yes

No Public Comments

**16. Authorize the General Manager to Execute CalRecycle’s ORG6-22-0002 Grant Agreement for CASP Composting Project Subject to Concurrence to Form by ReGen’s Legal Counsel.**

Guy Petraborg, Director of Engineering and Compliance provided a summary of the CASP Grant opportunity.

*It was moved by Director Theis, seconded by Director Laska To: Authorize the General Manager to Execute CalRecycle’s ORG6-22-0002 Grant Agreement for CASP Composting Project Subject to Concurrence to Form by ReGen’s Legal Counsel.*

**The Motion was passed by the following vote:**

Director Albert – Yes	Director Laska – Yes	Director Theis – Yes
Director Askew – Absent	Director Peake – Yes	Vice Chair Blackwelder – Yes
Director Delgado – Absent	Director Shirley – Yes	Chair Campbell – Yes

No Public Comments

**17. Approve Memorandum of Understanding (MOU) with the Operating Engineers Local 3 (OE3) Operations Unit and Pay Schedule Effective September 20, 2022.**

Berta Torres, Human Resources Manager reported on the tentative agreement MOU with Operating Engineers Local 3 (OE3).

*It was moved by Director Theis, seconded by Director Laska To Approve Memorandum of Understanding (MOU) with the Operating Engineers Local 3 (OE3) Operations Unit and Pay Schedule Effective September 20, 2022.*

**The Motion was passed by the following vote:**

Director Albert – Yes	Director Laska – Yes	Director Theis – Yes
Director Askew – Absent	Director Peake – Yes	Vice Chair Blackwelder – Yes
Director Delgado – Absent	Director Shirley – Yes	Chair Campbell – Yes

No Public Comments



**18. Approve the Implementation of the Shipment Assist Stipends of 2.5% and 5.0% as outlined in the Letter of Understanding Between ReGen Monterey and Operating Engineers, Local No. 3, Laborers & Salesclerk Unit for the Implementation of the Shipment Assist Stipend.**

Helen Rodriguez, Director of Finance and Administration presented on staffs request to approve the implementation for the Shipment Assist Stipend. Approval of the Stipend would have an impact of \$7,500 to the budget.

*It was moved by Director Albert, seconded by Director Laska To: Approve the Implementation of the Shipment Assist Stipends of 2.5% and 5.0% as outlined in the Letter of Understanding Between ReGen Monterey and Operating Engineers, Local No. 3, Laborers & Salesclerk Unit for the Implementation of the Shipment Assist Stipend*

***The Motion was passed by the following vote:***

<i>Director Albert</i>	<i>– Yes</i>	<i>Director Laska</i>	<i>-Yes</i>	<i>Director Theis</i>	<i>– Yes</i>
<i>Director Askew</i>	<i>– Absent</i>	<i>Director Peake</i>	<i>– Yes</i>	<i>Vice Chair Blackwelder</i>	<i>– Yes</i>
<i>Director Delgado</i>	<i>– Absent</i>	<i>Director Shirley</i>	<i>– Yes</i>	<i>Chair Campbell</i>	<i>– Yes</i>

No Public Comments

**19. Discuss Potential ReGen Monterey Website Content Including Video/Audio Recordings and Board Polices.**

Discussion was held regarding the Finance and Personnel committees recommendation to add policies and Board meeting recordings to the website. Board meeting recordings will be placed online for 6 months as a trail period. At the conclusion the trail period, staff will report the website analytics to the Board.

**20. General Manager Compensation. Board to receive an oral report of a summary of any recommendation coming out of the Closed Session held on September 23, 2022, for the performance evaluation of the General Manager, and consider at this time the matter of taking any action on the compensation of the General Manager.**

District Legal Counsel reported that the General Managers 6 month performance evaluation was completed at the September Closed Session meeting and no action was taken.

Vice Chair Blackwelder provided a recommendation to the Board that the General Managers compensation include a 5% match to 457b and an automobile allowance of \$750 a month effective November 1, 2022.

*It was moved by Vice Chair Blackwelder, seconded by Director Albert to Approve a change to the General Mangers compensation to include a 5% match to 457b and an automobile allowance of \$750 a month effective November 1, 2022.*

***The Motion was passed by the following vote:***

<i>Director Albert</i>	<i>– Yes</i>	<i>Director Laska</i>	<i>-Yes</i>	<i>Director Theis</i>	<i>– Yes</i>
<i>Director Askew</i>	<i>– Absent</i>	<i>Director Peake</i>	<i>– Yes</i>	<i>Vice Chair Blackwelder</i>	<i>– Yes</i>
<i>Director Delgado</i>	<i>– Absent</i>	<i>Director Shirley</i>	<i>– Yes</i>	<i>Chair Campbell</i>	<i>– Yes</i>

No Public Comments



## **21. Approve Early Site Closure on December 3, 2022 at 2:00 p.m.**

General Manger requested that the site close early on December 3, 2022 to allow employees to attend offsite Holiday event.

*It was moved by Director Theis, seconded by Director Laska Approve the Early Site Closure on December 3, 2022 at 2:00 p.m.*

### ***The Motion was passed by the following vote:***

<i>Director Albert</i>	<i>– Yes</i>	<i>Director Laska</i>	<i>-Yes</i>	<i>Director Theis</i>	<i>– Yes</i>
<i>Director Askew</i>	<i>– Absent</i>	<i>Director Peake</i>	<i>– Yes</i>	<i>Vice Chair Blackwelder</i>	<i>– Yes</i>
<i>Director Delgado</i>	<i>– Absent</i>	<i>Director Shirley</i>	<i>– Yes</i>	<i>Chair Campbell</i>	<i>– Yes</i>

## **Staff Reports**

### **22. Review Finance, Operating, and Recycling Reports**

Garth Gregson, Finance Manager provided a report on District Finances.

### **23. Report on Technical Advisory Committee (TAC) Meeting.**

Zoe Shoats, Director of Communications provided a summary on the TAC meeting.

## **Other Correspondence**

### **General Manager Communications**

### **Board Communications**

### **24. Appoint Ad-hoc Nomination Committee to Consider Board Chair and Vice Chair Appointments**

Chair Campbell appointed Director Theis and Director Laska to the Ad-hoc Nomination Committee to consider the Board Chair and Vice Chair for 2023.

## **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, real property negotiations or to confer with the ReGen Monterey's Meyers-Milias-Brown Act representative.*

1. Conference with Labor Negotiators  
District Negotiators: Felipe Melchor, Helen Rodriguez and Berta Torres  
Employee Organizations: Operating Engineers

## **Return to Open Session**

The Board came back in to open session at 11:52, and Legal Counsel announced that in the closed session, relative to the one mater of existing litigation, as listed on the agenda, the Board received information about the matter and briefly discussed it; no reportable action was taken. There being no further business, the Board Chair adjourned the meeting at 11:53.



**ADJOURNMENT**

There being no further business to come before the Board at this time, the October 21, 2022. Regular Meeting of the Monterey Regional Waste Management District Board of Directors was adjourned by Chair Campbell at 11:54 a.m.

**RECORDED BY:**

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Ida Gonzales  
Executive Assistant/ Board Clerk

**AUTHENTICATED BY:**

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Felipe Melchor  
General Manager/Secretary