

REGULAR BOARD MEETING MINUTES

June 14, 2023

Phelan Community Center
4128 Warbler Road, Phelan, CA 92371
& Monterey County Fair RV Park
2004 Fairground Road, Monterey, CA 93940
& Remotely Via Zoom or Conference Call

Board Members Present: Mark Roberts, Vice President
Chuck Hays, Director
Deborah Philips, Director
Greg Snyder, Director

Board Members Absent: Rebecca Kujawa, President

Staff Present: Don Bartz, General Manager
George Cardenas, Engineering Manager
Kim Sevy, HR & Solid Waste Manager/District Clerk
Chris Cummings, Assistant Water Operations Manager
Linda Smith, Program Technician

District Counsel: Steve Kennedy, General Counsel

REGULAR BOARD MEETING – 5:00 P.M.

Call to Order

Vice President Roberts called the meeting to order at 5:00 p.m. and the Pledge of Allegiance was conducted.

Roll Call

President Kujawa was absent.

1) Approval of Agenda

Director Philips moved to approve the Agenda. Director Hays seconded the motion. The motion carried after a roll call vote was conducted as follows:

- Hays – Aye
- Philips – Aye
- Snyder – Aye
- Roberts – Aye

2) Public Comment

- a) **General Public** – None
- b) **Community Reports** – None

3) Consent Items



Director Snyder moved to approve the Consent Items. Director Philips seconded the motion. The motion carried after a roll call vote was conducted as follows:

- Hays – Aye
- Philips – Aye
- Snyder – Aye
- Roberts – Aye

4) **Matters Removed from Consent Items** – None

5) **Presentations/Appointments** – None

6) **Continued/New Agenda Items**

a) **Public Hearing on Solid Waste Collection Services Rates**

Ms. Sevy provided a presentation on the District's solid waste programs.

NOTE: The presentation can be viewed at www.PPHCSD.org

Vice President Roberts declared the public hearing open at 5:25 p.m.

1. **Secretary's Report**

Ms. Sevy reported the District received five written protests, objections, or comments regarding the proposed solid waste collection services rates.

2. **Attorney's Report on Action Taken Prior to this Hearing**

Mr. Kennedy reported notice of public hearing was mailed to 17,508 individuals for approximately 9,100 affected parcels on April 24, 2023, in compliance with Proposition 218.

Notice of Hearing was published in the Mountaineer Progress on June 8, 2023, and posted in the District office, District website, and District community centers.

Rates were discussed at three advertised community information meetings held on Saturday, May 20, 2023, at 10:00 a.m., Thursday March 16, 2023, at 7:00 p.m., and Tuesday, January 26, 2023, at 10:00 a.m.

The rates were made available for public review in the District office and on the District website in accordance with applicable law. Compliance with all legal requirements for this hearing are within the manner and time specified in the Government Code.

3. **Staff's Report**

Mr. Bartz reported that over the course of several months, District staff and CR&R negotiated rates for solid waste collection service, effective July 1, 2023, with CR&R agreeing to a rate freeze on the most common type of residential collection service, currently 2-cart trash collection service which will transition to 3-cart trash, recycling, and organics collection service, beginning July 1, 2023.

Although there will not be a rate increase for 3-cart residential service at this time, on April 24, 2023, the District mailed a notice of proposed rate increase because (1) service is transitioning from subscription to mandatory (unless the self-haul option is utilized), (2) new services have been added to the rate schedule in order to collect recycling and organics, and (3) some existing services are increasing by more than what is allowable by the existing rate schedule, such as CPI and certain pass-through costs.

CR&R conducted a rate analysis for the minimum collection service level to comply with state and District requirements. CR&R estimates it will lose approximately \$5.41 on each residential 3-cart service for the upcoming fiscal year.

Per CR&R, there are four components to the residential cart service rate: (1) collection costs, (2) disposal/processing costs, (3) District fees, and (4) overhead/administrative costs. The current rate of \$30.98 for two-cart service includes: collection service at \$22.11 (driver, truck, maintenance on truck and container), disposal/processing at \$0, District fees at 10% or \$3.09, and overhead/administrative costs at \$4.02 (facility, site management, customer service, billing, reporting). This difference of \$1.76 is profit to CR&R at 5.7% of the rate.

Under the changes for SB 1383 & AB 939 compliance, CR&R will add two new cart types, add route hours to service the new carts, and additional costs for processing and disposing of recycling and organics. The new cost components equal \$36.39, however, at this time, the rate will remain at \$30.98 for the basic residential service in order to comply with state and District disposal requirements.

4. **Public Comments, Protests, and Objections**

Public comment, protests, and/or objections were given by:

- Kent Baird, Resident
- Robert Swartwood, Resident
- Dennis Roby, Resident
- Barre Mormann, Resident
- Brenda Roper, Resident
- David Atkins, Resident
- Jeff Mohen, Resident
- Mary Estrada, Resident
- Napoleon Roper, Resident
- Beth Donnan, Resident
- Jeff Haggard, Resident

Director Philips moved to close the public hearing. Director Hays seconded the motion. The motion carried after a roll call vote was conducted as follows:

- Hays – Aye
- Philips – Aye
- Snyder – Aye
- Roberts – Aye



The public hearing was declared closed at 6:02 p.m.

b) **Discussion & Possible Action Regarding Resolution No. 2023-15; Adopting Rates for Solid Waste Collection Services Charges**

Staff Recommendation: For the Board to adopt Resolution No. 2023-15; Adopting Rates for Solid Waste Collection Services.

Ms. Bartz introduced this item.

Public comment was given by:

- An unidentified member of the public
- Shawn Troeger, Resident

After discussion, Director Snyder moved to adopt Resolution No. 2023-15. Director Philips seconded the motion. The motion carried after a roll call vote was conducted as follows:

- Hays – Aye
- Philips – Aye
- Snyder – Aye
- Roberts – Aye

c) **Update on Solid Waste Program Implementation**

Staff Recommendation: None

Ms. Sevy provided a presentation on the status of solid waste program implementation.

NOTE: The presentation can be viewed at www.PPHCSD.org.

No action taken; not an action item.

Vice President Roberts called a recess at 7:04 p.m.

The Board returned from recess at 7:23 p.m.

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d) **Discussion & Possible Approval to Enter into a Professional Services Agreement with Dodson and Associates to Prepare an Initial Study, CEQA Compliance, for a Proposed 1.5 Million-Gallon Reservoir at Site 6A**

Staff Recommendation: For the Board to approve the Professional Services Agreement with Dodson & Associates to prepare an Initial Study, CEQA compliance, for a proposed 1.5 million-gallon reservoir at site 6A for an amount not to exceed \$32,000.

Ms. Cardenas introduced this item.

Director Hays moved to approve the staff recommendation. Director Snyder seconded the motion. The motion carried after a roll call vote was conducted as follows:

- Hays – Aye
- Philips – Aye
- Snyder – Aye



- Roberts – Aye

e) **Discussion & Possible Approval to Enter into a Professional Services Agreement with Wallace Group, Inc. for Design Work & Project Management for the Phelan Park Improvement Project**

Staff Recommendation: For the Board to approve the Professional Services Agreement with Wallace Group, Inc., for project management and design work for the Phelan Park Improvements Project.

Ms. Sevy introduced this item.

Director Philips moved to approve the Professional Services Agreement with Wallace Group, Inc. as amended to remove Exhibit B. Director Snyder seconded the motion. The motion carried after a roll call vote was conducted as follows:

- Hays – Aye
- Philips – Aye
- Snyder -Aye
- Roberts – Aye

f) **Discussion & Possible Approval to Enter into a Professional Services Agreement with Wallace Group, Inc. for Design Development & Management for the Phelan Park Expansion Project**

Staff Recommendation: For the Board to approve the Professional Services Agreement with Wallace Group, Inc., for design development and management for the Phelan Park Expansion Project.

Mr. Cardenas introduced this item.

Director Philips moved to approve the Professional Services Agreement with Wallace Group, Inc. as amended to remove Exhibit B and utilize the District's standard professional services agreement. Director Hays seconded the motion. The motion carried after a roll call vote was conducted as follows:

- Hays – Aye
- Philips – Aye
- Snyder – Aye
- Roberts – Aye

g) **Discussion & Possible Adoption of Resolution No. 2023-16; Establishing an Appropriations Limit for Fiscal Year 2023/2024**

Staff Recommendation: For the Board to adopt Resolution 2023-16; Establishing an Appropriations Limit for Fiscal Year 2023/2024.

Mr. Bartz introduced this item.

Director Hays moved to adopt the Resolution. Director Snyder seconded the motion. The motion carried after a roll call vote was conducted as follows:

- Hays – Aye



- Philips – Aye
- Snyder – Aye
- Roberts – Aye

h) **Discussion & Possible Action Regarding Enterprise Capital Improvement Plan Schedule**

Staff Recommendation: For the Board to review and accept the Capital Improvement Schedule in order to move forward with the preparation of various planning documents.

Mr. Bartz introduced this item.

Director Philips moved to accept the Capital Improvement Schedule. Director Hays seconded the motion. The motion carried after a roll call vote was conducted as follows:

- Hays – Aye
- Philips – Aye
- Snyder – Aye
- Roberts – Aye

i) **Discussion & Possible Action Regarding Election of Directors to the Special District Risk Management Authority's Board of Directors**

Staff Recommendation: For the Board to vote for up to three (3) candidates for SDRMA's Board of Directors and authorize staff to submit the ballot.

Mr. Bartz introduced this item.

Director Philips moved to vote for Robert Swan, Acquanetta Warren, and Sandy Seifert-Raffelson. Director Hays seconded the motion. The motion carried after a roll call vote was conducted as follows:

- Hays – Aye
- Philips – Aye
- Snyder – Aye
- Roberts – Aye

j) **Update on Proposed Civic Center & Phelan Park Expansion Projects**

Staff Recommendation: None

Mr. Cardenas reported the District is waiting on the county to approve the civil plans. Steeno and staff are finalizing interior design and audio-visual components. CEQA for the park is moving forward.

No action taken; not an action item.

7) **Committee Reports/Comments**

- a) **Engineering Committee (Standing)** – Has not met.
- b) **Finance Committee (Standing)** – Has not met.



- c) **Legislative Committee (Standing)** – Director Snyder reported updates were received from representatives, the CSDA action brief was reviewed, and the state budget was reviewed.
- d) **Parks, Recreation & Street Lighting Committee (Standing)** – Minutes are in the agenda packet.
- e) **Waste & Recycling Committee (Standing)** – Meets Thursday.

8) **Staff and General Manager’s Report**

Mr. Bartz reported most of the grows in the community have been eradicated. A discussion was held regarding wells in the community.

9) **Reports**

a) **Director’s Report**

- Hays** – He will be absent for the next Board meeting.
- Philips** – A written report was provided in the agenda packet.
- Snyder** – Nothing to report.
- Roberts** – Nothing to report.

b) **President’s Report** – None

10) **Correspondence/Information** – The items in the packet were noted.

11) **Review of Action Items**

- a) **Prior Meeting Action Items** – None
- b) **Current Meeting Action Items** – None

12) **Set Agenda for Next Meeting**

- Regular Board Meeting – June 28, 2023, 5:00 p.m.

13) **Adjournment**

With no further business before the Board, the meeting was adjourned at 8:05 p.m.

Agenda materials can be viewed online at www.pphcsd.org



Mark Roberts, Vice President of the Board

7-12-23

Date



Kim Sew, HR & Solid Waste Manager/District Clerk

7/12/2023

Date

