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REGULAR BOARD MEETING MINUTES

August 9, 2023

Phelan Community Center
4128 Warbler Road, Phelan, CA 92371
& Remotely Via Zoom or Conference Call

Board Members Present: Rebecca Kujawa, President
Chuck Hays, Director
Deborah Philips, Director
Greg Snyder, Director

Board Members Absent: Mark Roberts, Vice President

Staff Present: Don Bartz, General Manager
Lori Lowrance, Assistant General Manager/CFO
George Cardenas, Engineering Manager
Kim Sevy, HR & Solid Waste Manager/District Clerk
Sean Wright, Water Operations Manager
David Noland, Finance Supervisor
Jen Oakes, Executive Management Analyst

District Counsel: Steve Kennedy, General Counsel

REGULAR BOARD MEETING – 5:00 P.M.

Call to Order

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

Roll Call

Vice President Roberts was absent.

1) Approval of Agenda

Director Philips moved to approve the Agenda. Director Snyder seconded the motion. Motion carried 4-0.

2) Public Comment

a) **General Public** – None

b) **Community Reports**

- **County Supervisor** – Sam Shoup, Field Representative for Supervisor Cook, noted "Operation Consequences," Measure I funding for the Clovis traffic signal, and that ratification of the District's American Rescue Plan Act grant award is on the Board of Supervisor's upcoming agenda.

3) Consent Items

Director Snyder moved to approve the consent items. Director Philips seconded the motion. Motion carried 4-0.

4) Matters Removed from Consent Items – None**5) Presentations/Appointments – None****6) Continued/New Agenda Items****a) Second Reading of Ordinance No. 2023-04; Establishing Uniform Solid Waste, Recycling, & Organic Disposal Requirements**

Staff Recommendation: For the Board to waive the second reading of Ordinance No. 2023-04; Establishing Uniform Solid Waste, Recycling, & Organic Disposal Requirements.

Mr. Bartz introduced this item.

Director Philips moved to waive the second reading of Ordinance No. 2023-04. Director Snyder seconded the motion. Motion carried 4-0.

b) Public Hearing on Ordinance No. 2023-04; Establishing Uniform Solid Waste, Recycling, & Organic Disposal Requirements

President Kujawa declared the public hearing open at 5:06 p.m.

1) Secretary's Report:

Ms. Sevy reported the District received zero written protests, objections, or comments.

2) Attorney's Report:

Mr. Kennedy reported the Notice of Public Hearing was published in the Victorville Daily Press on July 26, 2023, and August 2, 2023. A summary of the material changes from Ordinance 2022-02 to Ordinance No. 2023-04 was published in the Victorville Daily Press on August 2, 2023. Notice of public hearing was also posted in the District office, District community centers, and District website on July 24, 2023. The Ordinance was introduced to the Board at the July 26, 2023, Board meeting where the first reading was waived by the Board. The second reading of the Ordinance was waived by the Board prior to the hearing.

3) Staff's Report:

Mr. Bartz reported that on April 6, 2022, the Board adopted Ordinance No. 2022-02 which established uniform collection of trash, recycling, and organics consistent with the mandate of SB 1383 that are designed to achieve the organic waste reduction goals established in Section 39730.6 of the Health and Safety Code through a 75 percent reduction in the level of the statewide disposal of organic waste from the 2014 level by 2025.



The regulations created to reduce organic waste consist of various components including providing an organic recycling service to all residential and commercial properties, establishing an edible food recovery program, meeting procurement requirements, tracking third-party organic waste haulers, creating education and outreach material, and conducting inspection and enforcement activities.

Since adoption of Ordinance No. 2022-02, a self-haul option was approved by CalRecycle and therefore the ordinance was updated primarily to address that provision. Amending this Ordinance will complete Task 3 of the District's compliance order from CalRecycle.

4) Public Comments, Protests, and Objections:

Public comment was provided by Meredith Hergenrader.

Director Philips moved to close the public hearing. Director Hays seconded the motion. Motion carried 4-0 and the hearing was declared closed at 5:10 p.m.

c) Discussion & Possible Adoption of Ordinance No. 2023-04; Establishing Uniform Solid Waste, Recycling, & Organic Disposal Requirements

Staff Recommendation: For the Board to adopt Resolution No. 2023-04; Establishing Uniform Solid Waste, Recycling, & Organic Disposal Requirements.

Mr. Bartz introduced this item.

Director Snyder moved to adopt Ordinance No. 2023-04. President Kujawa seconded the motion. Motion carried 4-0.

d) Discussion & Possible Action Regarding Proposed Water Rates

Staff Recommendation: None

Habib Isaac, with IB Consulting, provided a presentation on the proposed water rates and requested direction on which capital plan to utilize in preparation of the water rate study.

Consensus of the Board was to utilize the fully funded capital plan in preparation of the District's rate study.

e) Update on Solid Waste Program Implementation

Staff Recommendation: None.

Note: This Item was discussed before Item 6d. Ms. Sevy provided an update on solid waste program implementation.

No action taken.

ACTION ITEM: Email the county's solid waste department contact information to constituent.



f) Update on Proposed Civic Center & Phelan Park Expansion Projects

Staff Recommendation: None

Ms. Sevy noted the Land and Water Conservation grant application was withdrawn due to conflicting timelines with the Civic Center Project.

No action taken.

7) Committee Reports/Comments

- a) **Engineering Committee (Standing)** – Did not meet.
- b) **Finance Committee (Standing)** – Did not meet.
- c) **Legislative Committee (Standing)** – Meets next month.
- d) **Parks, Recreation & Street Lighting Committee (Standing)** – Met and reviewed the upcoming events.
- e) **Waste & Recycling Committee (Standing)** – Meets next week.

8) Staff and General Manager's Report

Nothing further to report.

9) Reports**a) Director's Report**

Philips – Noted her attendance at the Women in Water event and MWA's TAC meeting. A written report was provided in the packet.

Snyder – Reported on the Parks Committee meeting, including the attendance at the Farmers Market and Teaching Garden.

Hays – Nothing to report.

b) **President's Report** – Attended ASBCSD. A written report was provided in the packet.

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

11) Review of Action Items

- a) **Prior Meeting Action Items** – Fuel station capacity upgrade research is in progress.
- b) **Current Meeting Action Items** – None

12) Set Agenda for Next Meeting

- Regular Board Meeting – August 23, 2023, 5:00 p.m.

13) Recess to Closed Session

The Board recessed to Closed Session at 6:05 p.m.

Closed Session: Public Employee Performance Evaluation
Pursuant to Government Code Section 54957
Title: General Manager

14) **Return to Open Session** – Announcement of Reportable Action



The Board returned to Open Session at 6:32 p.m.; the Board met to perform the General Manager’s annual performance evaluation.

15) Continued/New Agenda Items

a) Discussion & Possible Action regarding the General Manager's Salary

Staff Recommendation: For the Board to implement the remainder of the cost-of-living adjustment ("COLA"), effective August 1, 2023, instead of July 1, 2023, and to determine the merit increase amount.

Ms. Sevy introduced this item.

Director Snyder moved to approve a 2.5% merit increase for the General Manager. Director Hays seconded the motion. Motion carried 4-0.

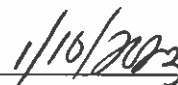
16) Adjournment

With no further business before the Board, the meeting was adjourned at 6:35 p.m.

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



Rebecca Kujawa, President of the Board



Date



Kim Sevy, HR & Solid Waste Manager/District Clerk



Date

