



**MENDOCINO SOLID WASTE MANAGEMENT AUTHORITY (MSWMA)
Board of Commissioners Regular Meeting**

AGENDA

***Civic Center Chamber ♦ 300 Seminary Avenue ♦ Ukiah, CA 95482
Fort Bragg City Hall, Downstairs Conference Room ♦ 416 N. Franklin Street ♦ Fort Bragg, CA 95437***

To participate or view the virtual meeting, go to the following link: <https://us06web.zoom.us/j/85470132549>

Or you can call in using your telephone only:

- Call (toll free) 1-669-444-9171
- Enter the Access Code: 854 7013 2549
- To Raise Hand enter *9
- To Speak after being recognized: enter *6 to unmute yourself

Alternatively, you may view the meeting (without participating) by clicking on the name of the meeting at www.cityofukiah.com/meetings.

May 11, 2023 - 9:00 AM

1. CALL TO ORDER

2. AB 2449 NOTIFICATIONS AND CONSIDERATIONS

3. APPROVAL OF MINUTES

3.a. Approval of the Minutes for the April 20, 2023, Special Meeting.

4. GENERAL MANAGER AND FINANCIAL REPORTS

4.a. May 5, 2023, Year-to-Date Financial Report

Recommended Action: Receive report.

Attachments:

1. Year to Date Budget

5. COMMISSIONER REPORTS AND ANNOUNCEMENTS

6. AUDIENCE COMMENTS ON NON-AGENDA ITEMS

The Mendocino Solid Waste Management Authority Board of Commissioners (Commissioners) welcomes input from the audience. In order for everyone to be heard, please limit your comments to three (3) minutes per person and not more than ten (10) minutes per subject. The Brown Act regulations do not allow action to be taken on audience comments on non-agenda items. If you wish to submit written comments, please provide information to MSWMA, located at 3200 Taylor Drive, Ukiah, California.

7. DISCUSSION AND ACTION ITEMS

- 7.a. Discussion of Illegal Dump Site Cleanups and Budget Amendment to Provide \$25,000 for General Manager to Approve Immediate and Minor Impact Areas and Sites.

Recommended Action: Approve budget amendment to provide \$25,000 for General Manager to approve immediate and minor impact areas and sites.

Attachments:

1. Discussion of Illegal Dump Site Cleanups

8. **SET NEXT MEETING DATE**

- 8.a. Discussion and Consideration to Schedule the Next Regular Meeting for June 8, 2023, to be Held at the Ukiah Civic Chamber, and Virtually at the Fort Bragg City Hall.

Recommended Action: Approve scheduling the next Regular Meeting for June 8, 2023, to be Held at the Ukiah Civic Chamber, and Virtually at the Fort Bragg City Hall.

Attachments: None

9. **CLOSED SESSION - MAY BE HELD AT ANY TIME DURING THE MEETING**

Closed Session may be held at any time during the meeting. Any public reports of action taken in closed session will be made in accordance with Government Code section 54957.1

10. **ADJOURNMENT**

Please be advised that the Mendocino Solid Waste Management Authority (MSWMA) needs to be notified 24 hours in advance of a meeting if any specific accommodations or interpreter services are needed in order for you to attend. MSWMA complies with ADA requirements and will attempt to reasonably accommodate individuals with disabilities upon request. Materials related to an item on this Agenda submitted to the MSWMA Commissioners after distribution of the agenda packet are available for public inspection at the front counter at the Ukiah Civic Center, 300 Seminary Avenue, Ukiah, CA 95482, during normal business hours, Monday through Friday, 8:00 am to 5:00 pm.

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted on the bulletin board at the main entrance of the City of Ukiah City Hall, located at 300 Seminary Avenue, Ukiah, California, not less than 72 hours prior to the meeting set forth on this agenda.

Kristine Lawler, MSWMA Secretary

Dated: 5/5/23

MENDOCINO SOLID WASTE MANAGEMENT AUTHORITY (MSWMA)
Board of Commissioner MINUTES
Special Meeting
CIVIC CENTER CHAMBER
300 Seminary Avenue, Ukiah, CA 95482
416 N. Franklin Street, Fort Bragg, CA 95482
Virtual Meeting Link: <https://us06web.zoom.us/j/85470132549>

April 20, 2023
9:00 a.m.

1. CALL TO ORDER

The Mendocino Solid Waste Management Authority Board of Commissioners met at a Special Meeting on April 20, 2023, having been legally noticed on April 14, 2023. The meeting was held in person and virtually at the following link: <https://us06web.zoom.us/j/85470132549>. Chair Mulheren called the meeting to order at 9:00 a.m. Roll was taken with the following **Commissioners Present:** Douglas F. Crane, Jason Godeke (*attending virtually from Fort Bragg location*), Madge Strong, Dan Gjerde (*attending virtually from Fort Bragg location*), and Maureen Mulheren. **Staff Present:** Tim Eriksen, City of Ukiah Public Works Director/City Engineer, Emmett Jones, City of Ukiah Business Advisor, and Kristine Lawler, City of Ukiah City Clerk.

CHAIR MULHEREN PRESIDING.

The Pledge of Allegiance was led by Chair Mulheren.

2. AB 2449 NOTIFICATIONS AND CONSIDERATIONS

No notifications or considerations were presented.

3. APPROVAL OF MINUTES

- a. **Approval of the Minutes for the March 23, 2023, Regular Meeting.**
- b. **Approval of the Minutes for the March 30, 2023, Special Adjourned Meeting.**

Motion/Second: Crane/Strong to approve the minutes of March 23, 2023, a regular meeting, and March 30, 2023, a special adjourned meeting, as submitted. Motion **carried** by the following roll call votes: AYES: Crane, Godeke, Strong, Gjerde, and Mulheren. NOES: None. ABSENT: None. ABSTAIN: None.

4. GENERAL MANAGER AND FINANCIAL REPORTS

No reports were received.

5. COMMISSIONER REPORTS AND ANNOUNCEMENTS

No Commissioner reports were received.

6. AUDIENCE COMMENTS ON NON-AGENDA ITEMS

No public comments were received.

7. **DISCUSSION AND ACTION ITEMS**

- a. **Consideration and Possible Action to Approve and Authorize the Chairperson to Execute Three Agreements: (1) Services Agreement with Ukiah Waste Solutions to Provide Household Hazardous Waste Services for MSWMA; (2) Agreement to Lease 3200 Taylor Drive to Ukiah Waste Solutions; and (3) Services Agreement with City of Ukiah to Provide General Manager and Related Administrative Services to MSWMA; that could Restructure the Operation of the Mendocino Solid Waste Management Authority (MSWMA), All with an Effective Date of April 1, 2023.**

Presenters: Tim Eriksen, Public Works Director/City Engineer and Dan Buffalo, Ukiah Finance Director.

Public Comment: Amber Fisette, Mendocino County Department of Transportation; Jeremy Ward, Solid Waste of Willits.

Motion/Second: Gjerde/Godeke to approve and authorize the Chairperson to execute three agreements: (1) Services Agreement (MSWMA No. 2223-001) with Ukiah Waste Solutions to Provide Household Hazardous Waste Services for MSWMA; (2) Agreement (MSWMA No. 2223-002) to Lease 3200 Taylor Drive to Ukiah Waste Solutions; and (3) Services Agreement (MSWMA No. 2223-003) with City of Ukiah to Provide General Manager and Related Administrative Services to MSWMA; all with an effective date of April 1, 2023. The commencement and operation of these three agreements is contingent upon the approval of agreement (3), Services Agreement with the City of Ukiah to Provide General Manager and Related Administrative Services to MSWMA, by the City Council of the City of Ukiah. Motion **carried** by the following roll call votes: AYES: Crane, Godeke, Gjerde, and Mulheren. NOES: Strong. ABSENT: None. ABSTAIN: None.

b. Approval of Budget Amendments.

Presenter: Chair Mulheren.

Motion/Second: Strong/Gjerde to approve new Budget line item in the amount of \$19,083.25 to reimburse the City of Ukiah for costs to restate the MSWMA JPA agreement and to develop and execute a plan for restructuring MSWMA. Motion **carried** by the following roll call votes: AYES: Crane, Godeke, Strong, Gjerde, and Mulheren. NOES: None. ABSENT: None. ABSTAIN: None.

Motion/Second: Strong/Godeke to approve the new budget line item in the amount of \$48,000 for City of Ukiah initial compensation under the terms and conditions of the Services Agreement with City of Ukiah to provide General Manager and related administrative services to MSWMA, as described in paragraph 4A, for the period March 1, 2023, to June 30, 2023. Motion **carried** by the following roll call votes: AYES: Crane, Godeke, Strong, Gjerde, and Mulheren. NOES: None. ABSENT: None. ABSTAIN: None.

c. Transfer of MSWMA Funds to New Custodian.

Presenters: Tim Eriksen, Public Works Director/City Engineer.

Motion/Second: Strong/Gjerde to direct the Chairperson to take the steps necessary to immediately transfer all MSWMA funds on deposit at Savings Bank of Mendocino County, and any undeposited amounts, to the City in its role as Treasurer of MSWMA as described in section 2B of the Agreement, and close those accounts when the transfer has been accomplished. Motion **carried** by the following roll call votes: AYES: Crane, Godeke, Strong, Gjerde, and Mulheren. NOES: None. ABSENT: None. ABSTAIN: None.

d. Consideration and Possible Adoption of Resolution Adopting the Style of Action Minutes in Conjunction with Digital Audio or Digital Audio-Video Recordings to be the Official Recordation Used for the Mendocino Solid Waste Authority Board of Commissioners.

Presenter: Kristine Lawler, City of Ukiah City Clerk.

Motion/Second: Gjerde/Godeke to adopt the resolution (*MSWMA Reso 2023-01*) establishing the Action Minute style in conjunction with digital audio or digital audio-video recordings for the official recordation used for the Mendocino Solid Waste Authority Board of Commissioners. Motion **carried** by the following roll call votes: AYES: Crane, Godeke, Strong, Gjerde, and Mulheren. NOES: None. ABSENT: None. ABSTAIN: None.

8. SET NEXT MEETING DATE

a. Discussion and Consideration to Move the Regular Meeting Date/Time to the Second Thursdays of the Month, at 9:00 a.m. - Making the Next Meeting Date May 11, 2023, to be Held at the Ukiah Civic Chamber, and Virtually at the Fort Bragg City Hall.

Presenter: Chair Mulheren.

Council Consensus to agree to Move the Regular Meeting Date/Time to the Second Thursdays of the Month, at 9:00 a.m., and set the next Commission meeting for April 20, 2023, at 9:00 a.m. in the Ukiah Civic Chamber, and virtually at the Fort Bragg City Hall

THE COMMISSIONERS ADJOURNED TO CLOSED SESSION AT 9:58 A.M.

15. CLOSED SESSION

a. Conference with Labor Negotiator (54957.6)

Unrepresented employees: (All Positions)

b. Public Employee Discipline/Dismissal/Release

No action reported; direction provided to Staff.

16. ADJOURNMENT

There being no further business, the meeting adjourned at 10:18 p.m.

Kristine Lawler, Ukiah City Clerk

MendoRecycle
Budget vs. Actuals: FY 2022-23 - FY23 P&L
 July 1, 2022 - May 5, 2023

	Total		
	Actual	Budget	% of Budget
Income			
340 CalRecycle Payments	0.00	0.00	
City/County Payment Program	0.00	36,795.00	0.00%
HHW Grant	101,431.69	41,250.00	245.90%
Oil Payment Program	0.00	27,500.00	0.00%
Tire Abatement Grant	0.00	15,122.25	0.00%
Tire grant income	0.00	5,773.02	0.00%
Used Oil Incentive Payments	1,200.00	916.63	130.91%
Total 340 CalRecycle Payments	\$ 102,631.69	\$ 127,356.90	80.59%
345 Employee Payments	0.00	0.00	
Employee Heath Premiums	0.00	916.63	0.00%
Total 345 Employee Payments	\$ 0.00	\$ 916.63	0.00%
350 Contract/Program Payments	0.00	0.00	
Batteries	2,344.16	2,566.63	91.33%
Mattress Recycle Program Payment	800.00	275.00	290.91%
PaintCare Contract	2,970.00	27,500.00	10.80%
Total 350 Contract/Program Payments	\$ 6,114.16	\$ 30,341.63	20.15%
355 Disposal Site Surcharge	0.00	0.00	
355 South Coast TS	11,197.50	14,666.63	76.35%
Ukiah TS	196,693.72	247,500.00	79.47%
Willits TS	148,206.61	189,750.00	78.11%
Total 355 Disposal Site Surcharge	\$ 356,097.83	\$ 451,916.63	78.80%
370 HHW Service	21,506.33	0.00	
HHW	125.00	27,500.00	0.45%
HHW Sonoma Co	0.00	9,166.63	0.00%
Total 370 HHW Service	\$ 21,631.33	\$ 36,666.63	58.99%
375 Interest	90.80	0.00	
Sales of Product Income	0.00	0.00	
Total Income	\$ 486,565.81	\$ 647,198.42	75.18%
Cost of Goods Sold			
50000 Cost of Goods Sold	0.00	0.00	
Total Cost of Goods Sold	\$ 0.00	\$ 0.00	
Gross Profit	\$ 486,565.81	\$ 647,198.42	75.18%
Expenses			
400 Administrative	0.00	0.00	
Audit	0.00	5,500.00	0.00%
Dues & Subscriptions	303.42	91.63	331.14%
Health insur.	26,943.13	64,166.63	41.99%
Legal Services	0.00	2,750.00	0.00%
Payroll Service	517.00	916.63	56.40%

Printing	0.00	275.00	0.00%
Professional fees	10,656.89	4,583.37	232.51%
Professional Services	8,231.62	16,500.00	49.89%
Workers comp	-3,343.59	10,083.37	-33.16%
Total 400 Administrative	\$ 43,308.47	\$ 104,866.63	41.30%
405 Facility	0.00	0.00	
Cell Reimburse	360.00	458.37	78.54%
Facility Improvement	0.00	1,833.37	0.00%
General Maintenance	1,473.05	2,750.00	53.57%
Liability Insurance	1,634.00	17,875.00	9.14%
Utilities	0.00	0.00	
Garbage	345.60	1,833.37	18.85%
Internet	534.60	916.63	58.32%
Power	1,828.38	2,475.00	73.87%
Propane	821.64	733.37	112.04%
Telephone	1,569.82	2,200.00	71.36%
Water/Sewer	1,215.19	1,283.37	94.69%
Total Utilities	\$ 6,315.23	\$ 9,441.74	66.89%
Total 405 Facility	\$ 9,782.28	\$ 32,358.48	30.23%
410 Automotive	0.00	0.00	
Auto Fuel	4,417.68	6,966.63	63.41%
Auto Vehicle maint.	6,208.58	18,333.37	33.86%
Total 410 Automotive	\$ 10,626.26	\$ 25,300.00	42.00%
415 Travel	0.00	0.00	
Lodging	180.00	458.37	39.27%
Per Diem	0.00	275.00	0.00%
Tolls/Fees	0.00	91.63	0.00%
Vehicle mileage	219.94	275.00	79.98%
Total 415 Travel	\$ 399.94	\$ 1,100.00	36.36%
420 Personnel	0.00	0.00	
Hourly	101,720.59	190,952.63	53.27%
Interim GM	3,426.99	110,000.00	3.12%
Overtime	0.00	2,750.00	0.00%
Pension SEP-IRA	19,225.22	29,333.37	65.54%
Personnel Advertising	0.00	458.37	0.00%
Taxes	8,068.87	11,000.00	73.35%
Temp	67,449.84	0.00	
Temp OT	3,133.16	0.00	
Total 420 Personnel	\$ 203,024.67	\$ 344,494.37	58.93%
425 Equipment	0.00	0.00	
H.E. Fuel	578.12	550.00	105.11%
H.E. R&M	108.71	2,750.00	3.95%
Heavy Equipment-Machines	141.60	2,291.63	6.18%
IT Purchase	0.00	916.63	0.00%
Rental	0.00	275.00	0.00%
Safety Equipment	40.75	550.00	7.41%
Storage & furniture	77.29	366.63	21.08%

Tools	130.55	2,291.63	5.70%
Total 425 Equipment	\$ 1,077.02	\$ 9,991.52	10.78%
430 Supplies	0.00	0.00	
HHW Handling Materials	5,768.61	27,500.00	20.98%
Illegal Dump Clean Up Supplies	0.00	916.63	0.00%
Janitorial Supplies	232.87	275.00	84.68%
Office supplies	669.64	1,375.00	48.70%
Postage	120.00	275.00	43.64%
Safety Supplies	2,845.20	2,750.00	103.46%
Total 430 Supplies	\$ 9,636.32	\$ 33,091.63	29.12%
435 Training	0.00	0.00	
Conferences/Events	94.66	0.00	
In Person Training	0.00	275.00	0.00%
Training Fees	184.00	275.00	66.91%
Total 435 Training	\$ 278.66	\$ 550.00	50.67%
440 Education, Outreach and Advrtis	0.00	0.00	
Events	0.00	916.63	0.00%
Outreach Advertising	116.29	2,291.63	5.07%
Total 440 Education, Outreach and Advrtis	\$ 116.29	\$ 3,208.26	3.62%
445 Service Charges	1,196.00	0.00	
Bank Fees	222.03	641.63	34.60%
HHW disposal expense	61,899.16	114,583.37	54.02%
HHW Program Materials	18,005.98	0.00	
Illegal dump cleanup	187.06	4,583.37	4.08%
IT Service	1,010.98	916.63	110.29%
Tire disposal expense	0.00	4,583.37	0.00%
Total 445 Service Charges	\$ 82,521.21	\$ 125,308.37	65.85%
Total Expenses	\$ 360,771.12	\$ 680,269.26	53.03%
Net Operating Income	\$ 125,794.69	-\$ 33,070.84	-380.38%
Other Income			
Late Fee Income	16.37	0.00	
Total Other Income	\$ 16.37	\$ 0.00	
Net Other Income	\$ 16.37	\$ 0.00	
Net Income	\$ 125,811.06	-\$ 33,070.84	-380.43%

Friday, May 05, 2023 03:42:22 PM GMT-7 - Accrual Basis

MendoRecycle

Budget vs. Actuals: FY 2022-23 - FY23 P&L

July 2022 - April 2023

	TOTAL			
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGET
Income				
340 CalRecycle Payments	102,631.69	116,303.82	-13,672.13	88.24 %
345 Employee Payments		833.30	-833.30	
350 Contract/Program Payments	6,114.16	27,583.30	-21,469.14	22.17 %
355 Disposal Site Surcharge	356,097.83	410,833.30	-54,735.47	86.68 %
370 HHW Service	21,631.33	33,333.30	-11,701.97	64.89 %
375 Interest	90.80		90.80	
Sales of Product Income	0.00		0.00	
Total Income	\$486,565.81	\$588,887.02	\$ -102,321.21	82.62 %
Cost of Goods Sold	\$0.00	\$0.00	\$0.00	0.00%
GROSS PROFIT	\$486,565.81	\$588,887.02	\$ -102,321.21	82.62 %
Expenses				
400 Administrative	43,332.61	95,333.30	-52,000.69	45.45 %
405 Facility	9,743.33	29,416.80	-19,673.47	33.12 %
410 Automotive	10,626.26	23,000.00	-12,373.74	46.20 %
415 Travel	399.94	1,000.00	-600.06	39.99 %
420 Personnel	198,187.22	313,176.70	-114,989.48	63.28 %
425 Equipment	1,077.02	9,083.20	-8,006.18	11.86 %
430 Supplies	9,636.32	30,083.30	-20,446.98	32.03 %
435 Training	278.66	500.00	-221.34	55.73 %
440 Education, Outreach and Advrtis	116.29	2,916.60	-2,800.31	3.99 %
445 Service Charges	82,606.21	113,916.70	-31,310.49	72.51 %
Total Expenses	\$356,003.86	\$618,426.60	\$ -262,422.74	57.57 %
NET OPERATING INCOME	\$130,561.95	\$ -29,539.58	\$160,101.53	-441.99 %
Other Income	\$20.71	\$0.00	\$20.71	0.00%
NET OTHER INCOME	\$20.71	\$0.00	\$20.71	0.00%
NET INCOME	\$130,582.66	\$ -29,539.58	\$160,122.24	-442.06 %



STAFF REPORT

SUBJECT: Discussion of illegal dump site cleanups and budget amendment to provide \$25,000 for General Manager to approve immediate and minor impact areas and sites.

ATTACHMENTS: None

Summary: Commission.

Background: MSWMA has traditionally been a significant partner in cleaning up areas throughout the County where illegal solid waste dumps have occurred. Illegal dumping is any unauthorized disposal of waste on any public or private property. It is important to move quickly to clean up sites quickly so that the existing refuse does not invite others to contribute to the area as well.

Though MSWMA has been seen as a solution to this problem, it should be noted that it is not part of the goals of the joint power authority (JPA).

Discussion: Staff is putting together the budget for the 23/24 fiscal year, and how funds are going to be budgeted and allocated for the illegal dump sites is under analysis. There are many questions that come to mind when a consideration of how funds should be and could be allocated for this effort. First it is important to realize that we do not have the amount of funds for this task, and they have not been identified.

However, for discussion purposes let's assume that a reasonable amount of funding is available. The amount could be split in several ways. It could be split by agency on some formula. Road miles or population are two possibilities. Some amount could be given directly to each agency to manage. Another component could be if the General Manager should have discretion on some percentage of the funds to direct cleanups. All these items will be considered at coming Board meeting.

RECOMMENDED ACTION: Approve budget amendment and authorize the General Manager to approve of minor illegal dump sites.