

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

