

**DEL NORTE SOLID WASTE MANAGEMENT AUTHORITY
CITY OF CRESCENT CITY
COUNTY OF DEL NORTE
STATE OF CALIFORNIA
Regular Session, Tuesday July 21, 2015, 3:30 PM**

PRESENT: Commissioner Ron Gastineau
Commissioner Angela Glore, Secretary
Commissioner Rick Holley, Chair
Commissioner Martha McClure, Vice Chair
Legal Counsel Martha Rice
Director Tedd Ward
Treasurer / Controller Richard D. Taylor

ABSENT: Commissioner Roger Gitlin

ALSO PRESENT: Katherine Brewer, Authority Clerk
Kathryn Murray, Crescent City Councilperson
Wes White, Hambro/WSG
Jeremy Herber, Recology Del Norte
Ed Farewell, Recology Del Norte

3:30 PM CALL MEETING TO ORDER

Chairman Holley called the meeting to order in regular session at 3:33 p.m.

PLEDGE OF ALLEGIANCE

The pledge was led by Chairman Holley.

3:30 PM PUBLIC COMMENTS:

The following person(s) addressed the Authority:

Bill Lonsdale, City resident, felt that correspondence between the Board Chair and a Commissioner should be a matter of public record. The Board should not take any action toward Commissioner Gitlin until he is able to be present.

Donna Westfall, City resident, thought the Authority should retain a different Treasurer. She had concerns regarding the Authority's books, missing funds, and the investigation that was performed. She also believed that Black and Rice should not serve as legal counsel, and that Judge Follett should not oversee the Grand Jury. She was not in favor of the Board discussing the Grand Jury report without Commissioner Gitlin

present. She further suggested that Commissioner contact information should be listed on the meeting agenda.

Craig Strong, City resident, hoped that the issue of full staffing would soon appear on the agenda.

Ed Edwards, City resident, felt the Grand Jury report should be tabled until Commissioner Gitlin returned.

Cali Martin was shocked at the Grand Jury report. She had served on two Grand Juries and had never seen direction given to remove someone.

1. CONSENT AGENDA

- 1.1 Approve minutes, Regular Session, Tuesday, June 16, 2015.
- 1.2 Acknowledge Beverage Container Block Grant Applications for FY 15/16.
- 1.3 Acknowledge and file 01 July 2015 letter from CalRecycle granting a reduction to the PostClosure Financial Assurance Multiplier for the Crescent City Landfill.
- 1.4 Approve budget transfer for FY 14/15 in the amount of \$17.018.02.

END CONSENT AGENDA

There were no requests to delete, add, or pull items from the consent agenda.

On a motion by Commissioner Gastineau, seconded by Commissioner Glore, and unanimously carried on a polled vote with Commissioner Gitlin absent, the Del Norte Solid Waste Management Authority approved and adopted the consent agenda, consisting of items 1.1-1.4, as presented.

DISCUSSION/ACTION ITEMS

2. LANDFILL POSTCLOSURE

- 2.1 Discussion and possible action regarding received Proposals for Water Quality Engineering Analysis regarding the Crescent City Landfill. **230102**

Discussion was held regarding received Proposals for Water Quality Engineering Analysis regarding the Crescent City Landfill. On a motion by Commissioner McClure, seconded by Commissioner Glore, and unanimously carried on a polled vote with Commissioner Gitlin absent, the Del Norte Solid Waste Management Authority accepted the proposal from Lawrence & Associates, directed staff to prepare a contract for the services described in Lawrence & Associates' proposal, plus an additional sub-task to enter monitoring data into the GeoTracker online reporting system for an amount not to exceed \$24,307.00, and authorized appropriate signatures on that contract.

3. COLLECTIONS FRANCHISE

- 3.1 Receive and file and other possible action regarding financial reports submitted by Recology Del Norte for the periods ending September 2014 and September 2013. **180501**

The Del Norte Solid Waste Management Authority received and directed staff to file the financial reports submitted by Recology Del Norte for the periods ending September 2014 and September 2013.

4. TRANSFER STATION

- 4.1 Acknowledge and file No Exposure Certification regarding stormwater management, monitoring and reporting at the Del Norte County Transfer Station. **230101 B**

Director Ward reported that approval of this No Exposure Certification could save the Authority over \$3,000 annually.

5. OTHER GENERAL SOLID WASTE AUTHORITY MATTERS

- 5.1 Discussion and possible action regarding direction from the Commissioners of the Del Norte Solid Waste Management Authority to the Del Norte Solid Waste Task Force. **200101**

Eileen Cooper addressed the Board to say that it would be more advantageous to the community if the Task Force met more often and that public education was needed. She did not believe Mary Wilson should serve on the Task Force because she was more interested in finances.

On a motion by Commissioner Glore, seconded by Commissioner Gastineau, and unanimously carried on a polled vote with Commissioner Gitlin absent, the Del Norte Solid Waste Management Authority directed staff to compose a letter to be signed by the Chair thanking the Del Norte Solid Waste Task Force for their continuing efforts, and suggesting that future meetings of this body be postponed until October or November when the Authority anticipates having additional administrative staff to provide appropriate support. By consensus, the Chair will have discretion to work with staff to possibly place on a future agenda in September or October an item to have the Authority discuss potentially useful activities for this advisory body.

- 5.2 Discussion and possible action regarding potential changes to the Authority Bylaws and Code of Ethics. **101503 - Authority By-laws, 052001 – Code of Ethics**

Chairman Holley assigned a subcommittee, comprised of Commissioners McClure and Glore, to review draft changes to the Authority By-laws and Code of Ethics. Staff was directed to meet with the subcommittee and draft changes to these documents for consideration and possible adoption at the August 18th Authority meeting.

5.3 Discussion and possible action regarding the Authority's response to the 2014/2015 Grand Jury Report regarding the Del Norte Solid Waste Management Authority. **071801**

Director Ward informed the Board that as the Authority staff and Commissioners received the 2014 / 2015 Del Norte County Grand Jury Report on 10 June 2015, the deadline for a response was within 90 days following, on September 8.

The following members of the public addressed the Authority:

Mary Wilson, County resident and Former Commissioner, expressed contempt for the draft response and believed that the Grand Jury had ignored the truth. She submitted three letters to the Authority's clerk for entry into the record (**071801**): letter 1 was from Richard Miles to *The Triplicate* newspaper with a note from Ms. Wilson, letter 2 was from Carl M. Wheeler to Whom It May Concern, and letter 3 was from Ms. Wilson to the Del Norte County Grand Jury.

Elizabeth Henry, County resident, spoke in favor of the Grand Jury Report. She thought during the period investigated by the Grand Jury that the Board had been letting the Authority die.

Bill Lonsdale, City resident, wanted to see the Board proceed on the report items that did not involve Commissioner Gitlin.

Bob Berkowitz wished to see fairness shown toward Commissioner Gitlin and Former Commissioner Wilson.

Donna Thompson, County resident, agreed with the Grand Jury Report and expressed concern regarding Commissioner Gitlin's treatment of the public.

Joan Miles had written an article for *The Triplicate* which was deemed too controversial for her usual "Senior Sleuth" column. She submitted a copy of the article to the Authority's clerk for entry into the record.

Tim Hoone, County resident, was aghast at the tone of Commissioner Gitlin's written comments.

Maura Broadwell, County resident, supported Commissioner Gitlin and felt he had tried to make Del Norte County better.

Steve Perez, County resident, felt that the staff recommendations should be addressed.

After some discussion, Board members agreed to review the staff recommendations that did not address Commissioner Gitlin, preferring to have him present for those items. Director Ward read through the remaining items one by one and the following points were addressed:

Finding F17. The actions of Commissioners #1, 2 and 5 contributed to a hostile work environment. Chairman Holley asked that this item be revisited at the next meeting. Counsel Rice suggested rewording “hostile work environment”.

F24. SWA Commissioners can serve on the solid waste task force and board concurrently. Commissioners wished to point out that this is not unusual as it happens in other City and County bodies.

Recommendation R1. The Solid Waste Authority should return to full staffing with separate positions for the Executive Director and Program Manager. Board members wished to change this to “adequate” staffing, rather than “full staffing” for this item and others that used this language.

R9. The Board of Supervisors and City Counsel should appoint Commissioners who want the JPA and Solid Waste Authority to be successful. Commissioner Glore felt the recommended response should be more strongly worded.

R14. Solid Waste Authority Commissioners should not simultaneously be members of the Solid Waste Task Force as it has potential to be a conflict of interest. Counsel Rice suggested that this could be addressed through the By-laws.

By consensus, staff was to make the changes to the draft response as discussed and present a revised draft at the August Authority meeting.

At 5:39 p.m., after the Grand Jury Report discussion was concluded, Chairman Holley called for a brief recess. At 5:47 p.m., the meeting resumed.

5.4 Discussion and possible action regarding a draft “Coastal Voices” submittal to the Editor of the *Del Norte Triplicate*, as suggested by Chair Holley.

The following members of the public addressed the Authority:

Bob Berkowitz was in favor of submitting the draft submittal “as is”.

Steve Perez, County resident, thought the focus should be on what is being accomplished now rather than what has happened in the past.

After a brief discussion, Board members agreed to take no action.

5.5 Discussion and possible action regarding Letter of Engagement with Patel & Associates, LLP to complete the external audit of the Del Norte Solid

Waste Management for Fiscal Year 2014/2015 for an amount not to exceed \$10,500.00. **012101**

On a motion by Commissioner McClure, seconded by Commissioner Glore, and unanimously carried on a polled vote with Commissioner Gitlin absent, the Del Norte Solid Waste Management Authority voted to enter into an agreement with Patel & Associates, LLP to complete the external audit of the Del Norte Solid Waste Management for Fiscal Year 2014/2015 for an amount not to exceed \$10,500.00.

6. DIRECTOR'S & TREASURER'S REPORTS

Agenda items 6.1 through 6.5 are provided for information only

- 7.4** 6.1 Director's Report **231501**
- 6.2 Treasurer/Controller Report for May 2015
- 6.3 Claims approved by Director for June 2015
- 6.4 Monthly Cash and Charge Reports for June 2015
- 6.5 Earned Revenue Comparisons between FY13/14 and FY14/15

The above-listed reports were presented and accepted.

ABANDONED VEHICLE ABATEMENT SERVICE AUTHORITY

- 7.** Discussion and possible action regarding proposals received for Towing, Storage, Recovery and Disposal of Abandoned Vehicles. **010203**

The Chairman recessed the meeting of the Del Norte Solid Waste Management Authority at 6:14 p.m., and immediately convened as the Abandoned Vehicle Abatement Service Authority (AVA).

Discussion was held regarding proposals received in response to a Request for Proposals for towing, storage, recovery and disposal of abandoned vehicles. One proposal, from Northcrest Auto Center, was received before the deadline.

On a motion by Commissioner McClure, seconded by Commissioner Gastineau, and unanimously carried on a polled vote with Commissioner Gitlin absent, the Abandoned Vehicle Abatement Service Authority authorized staff to execute an agreement for towing, storage, recovery and disposal of abandoned vehicles with Northcrest Auto Center for the period of one year.

The Chairman adjourned the meeting of the Abandoned Vehicle Abatement Service Authority at 6:24 p.m., and immediately reconvened as the Del Norte Solid Waste Management Authority.

8. ADJOURNMENT

Adjourn to the next meeting of the Del Norte Solid Waste Management Authority scheduled for 3:30 P.M., ~~ne16~~ August 18, 2015 at the Del Norte County Board of Supervisors' Chambers, 981 H Street, Suite 100 in Crescent City.

There being no further business to come before the Authority, the Chairman adjourned the meeting at 6:25 p.m., until the next regularly scheduled meeting on August 18, 2015.

Richard Holley, Chair
Del Norte Solid Waste Management Authority

Date / /

ATTEST:

Dr. Angela Glore, Secretary
Del Norte Solid Waste Management Authority

Date / /

Submitted:

Katherine Brewer, Clerk
Del Norte Solid Waste Management Authority

Date / /