

**MINUTES OF
THE SALINAS VALLEY SOLID WASTE AUTHORITY
BOARD MEETING
DECEMBER 16, 2021**

This meeting was conducted in a virtual format via Zoom in accordance with AB 361.

CALL TO ORDER

President Lopez called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

The flag salute was recited.

ROLL CALL

Board Directors

County of Monterey	John M. Phillips	Absent
County of Monterey	Chris Lopez, <i>President</i>	Present
City of Salinas	Christie Cromeenes, <i>Vice President</i>	Present
City of Salinas	Kimbley Craig	Present
City of Salinas	Anthony Rocha (<i>Logged in at 6:10 pm</i>)	Present
City of Gonzales	Elizabeth Silva	Present
City of Soledad	Ben Jimenez, Jr.	Present
City of Greenfield	Andrew Tipton, <i>Alt. Vice President</i>	Present
City of King	Robert Cullen	Absent

Staff Member Present

Patrick Mathews, General Manager/CAO	Present
Cesar Zuñiga, Asst. GM/Operations Manager	Present
Ray Hendricks, Finance and Administration Manager	Present
Mandy Brooks, Resource Recovery Manager	Present
Brian Kennedy, Engineering and Environmental Compliance Manager	Present
Roy C. Santos, General Counsel	Present
Rosie Ramirez, Administrative Assistant	Present
Erika J. Trujillo, Clerk of the Board	Present

MEETING ANNOUNCEMENTS

(6:01) President Lopez announced the translation services availability in Spanish.

GENERAL MANAGER COMMENTS

(6:01) General Manager/CAO Mathews reported that effective December 15, Operating Engineers Local No. 3 is the recognized bargaining representative for the Operations team. He indicated that meetings are being scheduled to discuss the Memorandum of Understanding that will terminate June 30, 2022.

DEPARTMENT MANAGER COMMENTS

(6:03) Assistant General Manager/Operations Manager Zuñiga reported on an incident that occurred on November 29, 2021, with a transfer trailer catching fire on its way to the Johnson Canyon Landfill. He reported on the damage to the trailer that will have to be repaired. Resource Recovery Manager Brooks reported on the Authority's participation at the parade of lights throughout its jurisdiction.

BOARD DIRECTORS COMMENTS

(6:05) President Lopez congratulated the City of Soledad on its 100-year celebration. He invited volunteers to assist the City of King airport in distributing food and gifts.

PUBLIC COMMENT

(6:07) None

CLOSED SESSION

(6:08) President Lopez invited Public Comment related to closed session item nos. 1 and 2.

1. Pursuant to **Government Code Section 54957.6** to provide instruction to General Manager/CAO Patrick Mathews, Asst. GM/Ops Manager Cesar Zuñiga, and General Counsel Roy C. Santos, to negotiate salaries and benefits with SVSWA employees - management and non-management.
2. Pursuant to **Government Code Section 54957 (b)** to consider the Performance Evaluation of the General Manager/Chief Administrative Officer Patrick Mathews for 2021

PUBLIC COMMENT

None

ADJOURNED

(6:09) President Lopez adjourned the meeting into closed session to discuss item nos. 1 and 2.

RECONVENE

(6:25) President Lopez reconvened the meeting to open session. Legal Counsel Santos indicated that there were no reportable actions taken in closed session.

CONSENT AGENDA (6:26)

3. Minutes of the November 18, 2021 Regular Meeting
4. October 2021 Claims and Financial Reports
5. Member and Interagency Activities Report for October 2021
6. Resolution No. 2021-52 Making Findings Related to the Continued Existence of a State of Emergency Due to Covid-19 and Re-Authorizing the Conduct of Public Meetings of the Legislative Bodies of the Authority Via Remote Teleconferencing for an Initial 30-Day Period Pursuant to the Ralph M. Brown Act as Amended by Assembly Bill No. 361
7. Resolution No. 2021-53 Approving Supplemental Appropriation of \$5,000 for Carton Council's School Carton Recycling Grant
8. Resolution No. 2021-54 Authorizing the Purchase of One Used 2021 Caterpillar 623K Scraper for the Johnson Canyon Landfill Module Develop from Quinn Caterpillar of Salinas for an Amount of \$910,487.50
9. Resolution No. 2021-55 Approving an Agreement with SCS Engineers in the Amount of \$28,000 for Engineering Services for Landfill Gas Planning at Johnson Canyon Landfill

Public Comment: None**Motion:** Director Craig made a motion to approve the consent agenda as presented. Vice President Cromeenes seconded the motion.**Votes:** Motion carried 7,0

Ayes: Craig, Cromeenes, Jimenez, Lopez, Rocha, Silva, Tipton

Noes: None

Abstain: None

Absent: Cullen, Phillips

COSNIDERATION**10. RESOLUTION NO. 2021-56 APPROVING AMENDMENT NO. 11 TO THE REVISED AND RESTATED AGREEMENT BETWEEN THE SALIANS VALLEY SOLID WASTE AUTHORITY AND R. PATRICK MATHEWS FOR SERVICES AS GENERAL MANAGER/CHIEF ADMINISTRATIVE OFFICE AND APPROVING THE REVISED SALARY SCHEDULE EFFECTIVE JANUARY**

(6:27) General Counsel Santos announced that this item included a recommendation to approve Amendment No. 11 to the Employment Agreement between the Authority and R. Patrick Mathews for Services as General Manager and Chief Administrative Officer that included; a one-and-a-half (1.5) year extension of the term of the contract with a new expiration date of June 30, 2024, a reduction of the minimum COLA adjustment to 0% for years 2023 and 2024, a 2% merit increase in current base salary and a 3% CPI increase for the employee's new annual Base Salary to be \$228,833.85 effective January 1, 2022, and for the employee to pay 50% of any future health care, dental or vision premium increases above the rates established for all available plans for 2022 (baseline).

Board Discussion: The Board discussed the report.

Public Comment: None

Motion: Director Rocha made a motion to adopt Resolution No. 2021-56. Director Silva seconded the motion.

Votes: Motion carried 7,0

Ayes: Craig, Cromeenes, Jimenez, Lopez, Rocha, Silva, Tipton

Noes: None

Abstain: None

Absent: Cullen, Phillips

11. SELECTION ON THE FINAL PROPOSALS TO AWARD THE ORGANICS PROCESSING, COMPOSTING, AND PRODUCT MARKETING FOR THE JOHNSON CANYON LANDFILL FACILITY

(6:31) Resource Recovery Manager Brooks reviewed the final two proposals being considered for the processing and marketing of organics at the Johnson Canyon Landfill. A side-by-side comparison with detailed information on prices, investment requirements, risks, and potential customer rate impacts of Atlas Organics proposal, the external candidate, and the Authority's internal proposal to assume operations of the facility was detailed. The pros and cons were explained to the Board.

A presentation was given by Jim Davis, Joseph McMillin, Eli Stilwell, Jarrett Bond, and Jorge Montezuma from Atlas Organics on their current operation location, experience, and operational innovation. Asst. General Manager/Operations Manager Zuñiga provided a brief verbal report on the benefits and challenges for the Authority assuming operations of the facility.

Board Discussion: The Board discussed the presentation.

Public Comment: None

Motion: Vice President Cromeenes made a motion to move forward with the negotiation of a ten-year agreement with Atlas Organics. Director Silva seconded the motion.

Votes: Motion carried 5,2

Ayes: Craig, Cromeenes, Lopez, Silva, Tipton

Noes: Jimenez, Rocha

Abstain: None

Absent: Cullen, Phillips

FUTURE AGENDA ITEMS**12. AGENDA ITEMS – VIEW AHEAD SCHEDULE**

(7:43) The Board reviewed the future agenda items.

ADJOURNED

(7:45) President Lopez adjourned the meeting.

APPROVED: 
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Christie Cromeenes, Vice President

Attest: 
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Erika J. Trujillo, Clerk of the Board