



BOARD OF DIRECTORS

Meredith Matthews, City of Arcata,
Alice Finen, City of Blue Lake, **Alternate**
Leslie Castellano, City of Eureka, **Chair**
Robin Smith, City of Ferndale
Stephen Madrone, County of Humboldt
Frank Wilson, City of Rio Dell,

Meeting Agenda

Thursday, January 12, 2023 at 5:30 PM

Eureka City Council Chambers – **PUBLIC ADVISORY: IN RESPONSE TO COVID-19, THE EUREKA CITY COUNCIL IS NOT AVAILABLE OR OPEN TO THE PUBLIC**

COVID -19 NOTICE

Consistent with Executive Orders N-25-20 and N-29-20 from the Executive Department of the State of California and the Humboldt County Public Health's Officer's March 30, 2020 "Shelter In Place Order", HWMA's regular meeting location at Eureka City Hall will not be physically open or available to the public. HWMA Board members and staff will be teleconferencing into the meeting via Zoom Video.

How to Observe the Meeting

To maximize public safety while still maintaining transparency and public access, members of the public can observe the meeting on Access Humboldt's YouTube Channel at www.youtube.com/c/accesshumboldt/live Members of the public may also join the Zoom meeting at <https://us06web.zoom.us/j/87272840425> .

How to Submit Public Comment

Members of the public may provide public comment before and during the meeting by sending comments by email to board@hwma.net. Such email comments must identify the agenda item number in the subject line of the email. The comments will be read into the records, with a maximum allowance of three minutes (approximately 500 words) per individual comment, subject to the Chair's discretion. If a comment is received after the agenda item is heard, but before the close of the meeting, the comment will still be included as part of the written record of the meeting, but will not be read into the record during the meeting.

Copies Available: Copies of the agenda materials are available electronically via the internet at www.hwma.net, through individual HWMA member agencies or by calling HWMA at 707-268-8680. There may be a charge for copies.

Accessibility: Accommodations and access to HWMA meetings for people with special needs must be requested in advance of the meeting at 707 268-8680 or emailing board@hwma.net (The Eureka City Council Chamber room is ADA accessible.) This agenda and other materials are available in alternative formats upon request.

1. Call to Order and Roll Call at 5:30 PM

2. Introduce New Members

3. Consent Calendar

All matters listed under the Consent Calendar are considered to be routine by the HWMA Board and will be enacted upon by one motion, unless a specific request for review is made by a Board Member or a member of the public. The Consent Calendar will not be read. There will be no separate discussion of these items unless pulled for discussion.

- a. Approve Minutes from the November 10, 2022 HWMA Board of Directors Meeting
- b. Approve Resolution 2023-08 “A Resolution of the Humboldt Waste Management Authority Authorizing Remote Teleconference Meetings of the Legislative Bodies of the Humboldt Waste Management Authority Pursuant to Brown Act Provisions Due to A State of Emergency”

4. Oral and Written Communications

This time is provided for people to address the Board or to submit written communications concerning matters not on this agenda. Board Members may respond to statements, but any request that requires Board action will be referred to staff for review. Reasonable time limits may be imposed on both the total amount of time allocated for this item, and on the time permitted to each individual speaker. Such time allotment or portion thereof shall not be transferred to other speakers.

5. Elect Authority Officers for FY 2022/23

6. Transfer and Approve One (1) Material Diversion Technician I/II/III position from the Hawthorne Street Transfer Station to the Cummings Road Landfill

7. Receive Presentation on Regional Organics Collection & Processing - Proposed Approach & Timelines.

8. Standing Item: Board Member Reports.

9. Standing Item: Executive Director’s Report.

10. Adjourn.



BOARD OF DIRECTORS

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Robin Smith, City of Ferndale
Frank Wilson, City of Rio Dell
Steve Madrone, County of Humboldt

Minutes

Thursday, November 10, 2022 at 5:30 PM

Zoom Video Conference Meeting

Directors Present: Leslie Castellano, Meredith Matthews, Alice Finen, Robin Smith
Arrived Late: Steve Madrone, (5:50pm), Frank Wilson (5:45PM)
Absent: None
Staff: Eric Keller-Heckman, Loral Uber, Tony Heacock, Jill Duffy
Legal Counsel: Nancy Diamond

1. Call to Order and Roll Call

Chairperson Castellano called the meeting to order at 5:38 PM. A quorum was present and acting.

2. Consent Calendar

- a. Approve Minutes from the October 13, 2022 HWMA Board of Directors Meeting
- b. Approve Resolution 2023-07 “A Resolution of the Humboldt Waste Management Authority Authorizing Remote Teleconference Meetings of the Legislative Bodies of the Humboldt Waste Management Authority Pursuant to Brown Act Provisions Due to A State of Emergency”

Chairperson Castellano opened the floor to public comment regarding the Consent Calendar. No comment was received.

Chairperson Castellano closed the floor to public comment.

Motion: **Director Matthews** moved and **Director Smith** seconded the motion to approve the Consent Calendar

Action: Approve the Motion as made by **Director Matthews** and seconded by **Director Smith**

Ayes: Unanimous

Noes: **None**

Absent: **Director Madrone, Director Wilson**

3. Oral and Written Communications

Chairperson Castellano opened the floor to public comment regarding items not on the agenda. Kyle Knopp, Rio Dell City Manager informed the Board that HWMA Director Wilson was experiencing technical difficulties and was expected to join the meeting shortly. Geoffrey Robinson, public member expressed disappointment regarding the Eureka Recycling Center closure and spoke to the board about impacts to his business and community. Robin Praszker, City of Eureka staff member, announced a joint “Zero Waste Open House” event scheduled to be held November 12th at Recology’s Recycling Recovery Center for public outreach about recycling.

Chairperson Castellano closed the floor to public comment.

4. Receive update regarding requested letters of support from jurisdictions that HWMA act in a regional capacity for purposes of organics processing, and support for amendment to HWMA's Joint Powers Agreement.

Executive Director Keller-Heckman briefly summarized the status of support letters from each jurisdiction.

Chairperson Castellano opened the floor for public comment. No public comment was received.

Chairperson Castellano closed the floor to public comment.

5. Receive update on Joint Powers Agreement draft language

Executive Director Keller-Heckman requested a special meeting be scheduled for December 8th at 5:30 PM to allow additional time for revision and legal review of draft Joint Powers Agreement language. The board agreed to this request.

Director Wilson expressed concern about falling behind on timeline for AB 1383 compliance. He urged the Board and Staff to continue efforts to move forward in developing a plan for organics processing.

Chairperson Castellano opened the floor to public comment. Morguine Sefcik from the City of Arcata informed the board that the jurisdiction staff would like a chance to have input on draft language.

Chairperson Castellano closed the floor to public comment.

6. Receive Presentation on potential pathways and timeline for reopening the Eureka Recycling Center for the purpose of receiving self-haul source separated materials.

Executive Director Keller-Heckman presented costs and timelines for reopening the Eureka Recycling Center compared with facility modifications required to convert the former recycling center into an organics processing facility. He answered questions from the board regarding funding sources and reasoning for staff recommendations.

Chairperson Castellano opened the floor to public comment. Kyle Knopp spoke about the need for jurisdictions to contribute to funding organics facility improvements in such a way that historic member agencies will not bear disproportionate share of financial burdens. Robin Praszker thanked the board and staff for the work so far. Geoffry Robinson asked the board when recycling in Eureka would reopen, however the board is unable to provide a timeline at present. Jennifer Weiss thanked the board and expressed support for planned actions.

Chairperson Castellano closed the floor to public comment.

Motion: **Director Wilson** moved and **Director Smith** seconded the motion to proceed with staff recommendations to maintain the current closure of the Eureka Recycling Center, and suspend accessing ERC activities and alternate site locations until HWMA organics facility is operational; additionally authorize staff to designate proposed funding sources for facility alterations related to organics processing, direct staff to prepare and return to the board with construction bid documents for necessary alterations, and direct staff to return to the board with a proposed pathway and preliminary implementation schedule to open HWMA's organics facility.

Action: Approve the Motion as made by **Director Wilson** and seconded by **Director Smith**

Ayes: Unanimous

Noes: **None**

Absent: **None**

7. Standing Item: Recycling Update

No additional updates at this time.

8. Standing Item: Board Member Reports

No board member reports at this time.

9. Standing Item: Executive Director's Report

No additional reports at this time.

10. Closed Session: It is the intention of the Board of Directors to meet in closed session for one item: Public Employment Evaluation– Interim Executive Director pursuant to Government Code Section 54957.

Chairperson Castellano opened the floor to public comment. Robin Praszker told the Board that the City of Eureka is pleased with Executive Director Keller-Heckman's leadership. Kyle Knopp (Rio Dell), Morguine Sefcik (Arcata) and Jennifer Weiss (County of Humboldt) echoed this support.

Chairperson Castellano closed the floor to public comment.

The Board adjourned into Closed Session at 6:39 PM and reconvened in Open Session at 7:04pm
No final actions were taken.

11. Adjourn

Chairperson Castellano adjourned the meeting at 7:05pm



Staff Report

DATE: December 28, 2022 For Board Meeting: January 12, 2023

FROM: Eric Keller-Heckman, Interim Executive Director

SUBJECT: Item 2b)
Approve Resolution 2023-08 “A Resolution of the Humboldt Waste Management Authority Authorizing Remote Teleconference Meetings of the Legislative Bodies of the Humboldt Waste Management Authority Pursuant to Brown Act Provisions Due to A State of Emergency”

RECOMMENDED ACTION: Voice vote.
Approve Resolution 2023-08 “A Resolution Of The Humboldt Waste Management Authority Re-Authorizing Remote Teleconference Meetings Of The Legislative Bodies Of Humboldt Waste Management Authority For the Period of November 11, 2022 through January 12, 2022 Pursuant To Brown Act Provisions Due To A State Of Emergency.”

DISCUSSION:

Staff recommends the Board adopt Resolution 2023-08 “A Resolution Of The Humboldt Waste Management Authority Authorizing Remote Teleconference Meetings Of The Legislative Bodies Of Humboldt Waste Management Authority Pursuant To Brown Act Provisions Due To A State Of Emergency”, which provides necessary findings that, as a result of the continuing COVID-19 pandemic state of emergency, that meeting in person would present imminent risks to the health and safety of participants.

On September 16 Governor Newsom signed AB 361 into law. The bill revises the Ralph M. Brown Act by continuing the Governor’s Executive Order N-29-20’s teleconference rule waivers under certain conditions through January 1, 2024.

AB 361 allows the HWMA Board of Directors, its subcommittees, the Executive Advisory Committee to meet virtually provided that:

1. A state-proclaimed state of emergency exists, and
2. State or local public health officials impose or recommend social distancing measures.

The Board may also find that, as a result of the proclaimed emergency, meeting in-person presents an imminent threat to the health or safety of attendees.

At their meeting of November 11, 2021, the HWMA Board of Directors approved the first proclaimed emergency through the approval of Resolution 2022-03. Attached for the Board’s consideration is Resolution 2023-08 which re-states necessary findings that meeting in-person during the current state of emergency would present imminent risks to the health or safety of attendees. This resolution would permit meetings under the provisions of AB 361 to be re-authorized for a period of 30 days. After 30

days, the Board would need to renew its resolution, consistent with the requirements of AB 361, if it desires to continue meeting under the modified Brown Act requirements or allow the resolution to lapse.

Under AB 361, local agency legislative bodies must return to in-person meetings on October 1, 2021, unless they choose to continue with fully teleconferenced meetings and make the prescribed findings related to the existing state of emergency. Specifically, AB 361 allows local agency legislative bodies to continue to conduct virtual meetings as long as there is a proclaimed state of emergency, in combination with (1) local health official recommendations for social distancing or (2) findings adopted by the local agency legislative body that meeting in person would present risks to health. AB 361 is effective immediately as urgency legislation and sunsets January 1, 2024.

FISCAL IMPACT:

No Direct Impact

ATTACHMENTS:

Attachment A: Resolution 2023-08 “A Resolution Of The Humboldt Waste Management Authority Re-Authorizing Remote Teleconference Meetings Of The Legislative Bodies Of Humboldt Waste Management Authority For the Period of January 13 2023 through February 9, 2023 Pursuant To Brown Act Provisions Due To A State Of Emergency”.

RESOLUTION 2023-08

**A RESOLUTION OF THE
HUMBOLDT WASTE MANAGEMENT AUTHORITY
RE-AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE
LEGISLATIVE BODIES OF HUMBOLDT WASTE MANAGEMENT AUTHORITY
FOR THE PERIOD OF JANUARY 13, 2023 THROUGH FEBRUARY 9, 2023,
PURSUANT TO BROWN ACT PROVISIONS DUE TO A STATE OF EMERGENCY**

WHEREAS, the Humboldt Waste Management Authority (HWMA) is committed to preserving and nurturing public access and participation in meetings of the Board of Directors and other committee meetings subject to the Ralph M. Brown Act (“Brown Act”); and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provisions for remote teleconferencing participation in meetings without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that the Governor declares a state of emergency pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, on March 4, 2020, the Governor proclaimed pursuant to his authority under the California Emergency Services Act, California Government Code section 8625, that a state of emergency exists with regard to a novel coronavirus (a disease now known as COVID-19) a condition which persists in Humboldt County; and

WHEREAS, on June 4, 2021, the Governor clarified that the “reopening” of California on June 15, 2021, did not include any change to the proclaimed state of emergency or the powers exercised thereunder; and

WHEREAS, as of the date of this Resolution, neither the Governor nor the Legislature have exercised their respective powers pursuant to California Government Code section 8629 to lift the state of emergency either by proclamation or by concurrent resolution in the state Legislature; and

WHEREAS, the continued local rates of transmission of the virus and variants causing COVID-19 are such that meeting in person could present imminent risks to the health or safety of attendees of HWMA governing Board and committee public meetings if teleconference options are not included as an option for public participation; and

WHEREAS, the Centers for Disease Control and Prevention continue to list Humboldt County as an area of high transmission of COVID-19, and Humboldt County Public Health Officer Dr. Ian Hoffman issued a recommendation on September 29, 2021, to continue to practice physical distancing at meetings of legislative bodies and stated that virtual meetings do the most to reduce COVID-19 risk; and

WHEREAS, the Board of Directors does hereby find that the COVID-19 public health emergency and increased risk of infection has caused, and will continue to cause, conditions of peril to the safety of persons within Humboldt County that are likely to be beyond the control of services, personnel, equipment, and facilities of HWMA, and desires to ratify the proclamation of state of emergency by the Governor of the State of California; and

WHEREAS, as a consequence of the emergency, the Board of Directors does hereby continue to find that the legislative bodies of HWMA shall conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that such legislative bodies shall comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

WHEREAS, public access and participation in meetings of HWMA's legislative bodies shall be provided via online video conferencing software which shall also allow for public participation and real-time public comment opportunity by telephone.

NOW, THEREFORE, BE IT RESOLVED that the Humboldt Waste Management Authority Board of Directors find that:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Proclamation of Imminent Risk of In-Person Meetings. The Board hereby proclaims that as Humboldt County remains an area of high transmission of COVID-19 as determined by the Centers for Disease Control and Prevention, meeting in-person presents imminent risks to the health or safety of attendees.

Section 3. Ratification of Governor's Proclamation of a State of Emergency. The Board hereby ratifies the Governor of the State of California's Proclamation of State of Emergency, effective as of its issuance date of March 4, 2020.

Section 4. Remote Teleconference Meetings. The staff and legislative bodies of Humboldt Waste Management Authority, including but not limited to the Board of Directors and its subcommittees, and the Executive Advisory Committee and its subcommittees, are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 5. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective for 30 days or until this Resolution is extended by a majority vote of the Board of Directors in accordance with Section 6 of this Resolution.

Section 6. Extension by Motion. The Board of Directors may extend the application of this Resolution by motion and majority vote by up to 30 days at a time, provided that it makes all necessary findings consistent with and pursuant to the requirements of Section 54953(e)(3).

PASSED AND ADOPTED by the Board of Directors of the Humboldt Waste Management Authority this 12th day of January 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Leslie Castellano, Chair
HWMA Board of Directors

ATTEST:

BY: _____
Eric Keller-Heckman,
HWMA Clerk of the Board



Staff Report

DATE: December 5, 2022

For Meeting of: January 12, 2023

FROM: Eric Keller-Heckman, Interim Executive Director

SUBJECT: Item 5)
Elect Authority Officers for FY22/23

RECOMMENDED ACTION: Voice vote.
Nominate and Elect Officers for FY 22/23

DISCUSSION:

The Humboldt Waste Management Authority's Joint Exercise of Powers Agreement requires that the Board appoint new Board Officers each fiscal year. The term of office begins on July 1, 2022 and runs through June 30, 2023. At the September 8th meeting, the Board elected to continue with current officers for the remainder of the 2022, and fill any vacant positions in January 2023.

The officers – and the current appointees – are:

Chair Leslie Castellano, City of Eureka
Vice-Chair Elaine Hogan, City of Blue Lake

The Vice-Chair position is vacant as Director Hogan's term with the City of Blue Lake concluded in December 2022. Staff recommends the Board open the topic for discussion, and the Board take action to consider and elect a Vice-Chair.

FISCAL IMPACT:

No Impact

ALTERNATIVES:

Board's Discretion



Staff Report

DATE: December 27, 2022

For Meeting of: January 12, 2023

FROM: Tony Heacock, Director of Environmental Health & Safety

SUBJECT: Item 6)
Transfer and Approve One (1) Material Diversion Technician I/II/III position from the Hawthorne Street Transfer Station to the Cummings Road Landfill

RECOMMENDED ACTION: Voice vote.

That the Board Approve the Transfer of One (1) Material Diversion Technician I/II/III position from the Hawthorne Street Transfer Station to the Cummings Road Landfill

DISCUSSION:

The Cummings Road Landfill (CRL) is located at 5775 Cummings Road and is staffed by two HWMA employees, a Landfill Supervisor and one Materials Diversion Technician (MDT), with periodic coverage assistance provided by the Director of Environmental Health & Safety as necessary.

With the August 1 closure of the Eureka Recycling Center staff members were temporarily assigned to the Hawthorne Street Transfer Station, Household Hazardous Waste facility and the Cummings Road Landfill to receive cross-training and provide needed coverage.

Staff recommends the Board approve the permanent transfer of one (1) Material Diversion Technician from the Hawthorne Street Transfer Station to the Cummings Road Landfill. Due to current operational demands at the Hawthorne Street Transfer Station, this position will not be backfilled.

BACKGROUND

Historically the landfill had three full-time equivalent (FTE) positions to provide necessary staffing coverage. This staffing coverage was sufficient for managing the landfill, provide coverage during employee trainings or leave. Staffing coverage was reduced to two FTE following the retirement of the Landfill Manager in 2017, and the Board reclassified the vacant position to a Utility Worker assigned to the Eureka Recycling Center due to an increase of in-bound material processing needs.

CRL staff are responsible for operating and maintaining the gas and leachate extraction systems as well as performing a multitude of regulatory permit required tasks. Tasks vary depending upon the time of year and weather, but the typical work schedule requires a minimum of two

staff persons to provide coverage for routine duties and be available on-call to respond to after-hour emergencies.

Given the broad scope of work and the challenging work environment, the CRL staff possess a unique set of knowledge and of understandings of the operating practices of the past and applying that knowledge to meet current and future management activities. CRL staff must be proficient at operating a wide variety of tools, environmental monitoring equipment, off road vehicles and heavy equipment. These tasks require staff to be familiar with working safely in and around sensitive infrastructure while performing their duties. Staff also possess a sound understanding of the environmental monitoring methods and reporting responsibilities to comply with regulatory requirements. Pertinent data is collected in the field and must be entered accurately, with minimal to no errors into digital format for record keeping and reporting purposes.

CRL staff are also required to be available to support both scheduled and unscheduled site inspections from regulatory institutions including the Humboldt County Local Enforcement Agency (LEA), Humboldt County Certified Unified Program Agency (CUPA), North Coast Unified Air Quality Management District (NCUAQMD), and the North Coast Regional Water Quality Control Board (NCRWQCB) and occasionally CalRecycle. An inspection typically requires staff to produce permits, provide records, answer questions, and provide tours of the site.

Considering the duties and responsibilities CRL staff are asked to perform, the time and efforts needed to attend on-going training may be extensive. Some trainings can be performed onsite or scheduled at local training facilities, but others require attending out of state campuses. It can take up to three years before a new staff person at CRL could complete all the required and preferred trainings. Not to mention the time needed to familiarize oneself with all the nuances of such a diverse work site.

CRL is a remote work location with unique hazards and limited access. Cellphone coverage is limited, and emergency response times may be longer than 20 minutes. It is for these reasons that HWMA instituted an internal policy that requires a minimum two staff members present while performing field work. When a CRL staff member is on leave, the Director of Environmental Health & Safety is required to provide coverage. This is not ideal if staff is on leave for more than 5 consecutive days. Over this past year one CRL employee was out on medical leave for over two months. During this time, it became clear that HWMA needed to reevaluate the long term staffing needs of CRL and identify what steps needed to be taken to maintain the operational integrity.

FISCAL IMPACT

No additional position is proposed to be created. Staff proposes to reallocate an existing position from the Hawthorne Street Transfer Station to the Cummings Road Landfill.

No direct fiscal impact to the FY 2022-23 Budget

ATTACHMENTS:

1. Proposed HWMA Organizational Chart

HWMA Organizational Chart - Proposed

Board of Directors	Arcata	Eureka	Blue Lake	Ferndale	Rio Dell	County
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Level	Descriptor
0	Executive
1	Dept. Director
2	Manager
3	Supervisor
4	Staff

Executive Director - (Direct Reports: 5)					Legal Counsel	
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			Director of Operations	1.0 FTE	Director of EH&S	1.0 FTE
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Accounting Manager	1.0 FTE
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			Scale Supervisor	1.0 FTE	Operations Supervisor	1.0 FTE	Landfill Supervisor	1.0 FTE					
		Acct Clerk I/II, Confidential, existing	2.0 FTE	Analyst I/II	1.0 FTE	Scale Attendant	5.0 FTE	MDT I/II/III	16 FTE*	MDT I/II/III	2.0 FTE	Health and Safety Coordinator I/II	1.0 FTE

Analyst I/II
1.0 FTE Frozen for FY 2018-2019

*Materials Diversion Tech I/II/III
2.0 FTE Frozen for FY 2020-2021



Staff Report

DATE: November 28, 2022 **For Meeting of:** January 12, 2023

FROM: Eric Keller-Heckman, Interim Executive Director

SUBJECT: Item 4)
Receive Presentation on Organics Collection & Processing
Proposed Approaches & Timelines

RECOMMENDED ACTION: Voice vote.

That the Board:

- 1) Receive Presentation; and
- 2) Discuss and Provide Direction to Staff; and.
- 3) Provide Other Direction as Appropriate

DISCUSSION:

Receive presentation delineating key responsibilities, pathway, and a proposed timeline for Organics Collection & Processing.