



City of Glendale  
Citizens Utility Advisory Commission  
Oasis Water Campus  
7070 W. Northern Avenue  
January 5, 2022  
6:00 P.M.  
DRAFT MINUTES

1. CALL TO ORDER

Chair Berryhill called the meeting to order at 6:00 p.m.

2. ROLL CALL

**Present:** Chair Robin Berryhill, Vice Chair David McGrew, Commissioner Larry Flatau, Commissioner Amber Ford, Commissioner Jon Froke (via conference call), Commissioner Ron Short

**Absent:** None

**Also Present:** Craig Johnson, Director, Water Services; Michelle Woytenko, Director, Field Operations; Katrina Alberty, Deputy Director, Water Services; Ron Serio, Deputy Director, Water Services; John Henny, Deputy Director, Water Services; Megan Sheldon, Deputy Director, Environmental Resources, Water Services; Kim Mackert, Budget Administrator, Field Operations; Candace Schulte, Management Assistant, Water Services; Stacy Mawhiney, Account Specialist, Field Operations; Nancy Mangone, Deputy City Attorney

3. CITIZEN COMMENTS

None.

4. APPROVAL OF MINUTES

**Motion by Commissioner Froke, second by Vice Chair McGrew, to approve the minutes of the November 3, 2021 Citizens Utility Advisory Commission Meeting as written. Motion carried 6 – 0.**

5. DIRECTOR'S REPORT

a. Solid Waste/Landfill Update

Ms. Michele Woytenko, Director of Field Operations, provided a report, which included the following:

- The Department was recently awarded a \$500,000 grant from the Maricopa County Flood Control District, which will help with offsetting expenses at the Landfill.
- The Lazy J site is now completely closed. All trailers have been demolished. The site was cleaned and is now ready for the construction of the new Field Operations Complex.
- Plans are underway to move alley collection of trash to the front of houses. Information on the new services and plans for implementation will be sent to residents prior to when their alley is impacted.

- Supply chain issues are now impacting the availability of tires. Because all new vehicles coming in to the department have four new tires and the vehicles are front wheel drive, the new back tires are being removed and replaced with recapped tires. The new tires that were removed will be saved as replacements for the front tires when needed.

Commissioner Short inquired as to when trash collection would be moved from the alley to the front of the houses. Ms. Woytenko explained that implementation would be phased in and residents would be notified once their alley was impacted.

Chair Berryhill commented that some homes have fences that extend to the sidewalk and asked where those residents would place their bulk trash. Ms. Woytenko stated that residents would receive placement information in their notification package and if there are any questions or issues, residents are directed to contact City staff for assistance.

Chair Berryhill asked if the alleys were in existence for utilities. Ms. Woytenko replied in the positive. Ms. Woytenko stated that residents can request their alley to be closed if there was crime activity and in that case, the alley access would be restricted with access only for residents.

Chair Berryhill suggested deeding residents the section of the alley behind their lot and cited an example of this being done in the past. Ms. Woytenko replied that she was unaware of this having been done and will research the matter.

#### b. Water Services Update

Mr. Craig Johnson, Director of Water Services, provided a report, which included the following:

- The new budget season has begun and the Commission will be provided information on the budget as it progresses.
- The 2022 Clean and Green calendar has been published and is available. It is a very informative tool.
- Tonight is Vice Chair McGrew's last meeting. His service to the Commission is greatly appreciated.

#### 6. OPEN MEETING LAW AND ROBERT'S RULES TRAINING

a. Open Meeting Law and Robert's Rules Training presented by Nancy Mangone, Deputy City Attorney.

Ms. Mangone's presentation included detailed information on the following:

##### Rules for Conducting Meetings

- Open Meeting Law, Arizona Revised Statutes 38-431, Verbiage of specific pertinent statutes
- What is a Meeting? Definition of a 'meeting.'
- Unintentional Meetings. Examples of what to avoid.
- Other Important Concepts. Definition of 'legal action' and expressing public opinion.
- Purpose and Composition of CUAC
  - To make recommendations to City Council.
  - Related to water and solid waste management services, operation, policies, rates, fees, and budgets.
  - Consists of 7 members.

- All recommendations must receive an affirmative vote of not less than a majority of the members present at the meeting.
- Agendas – Posting requirements and general information
- Records – General information on the taking of written minutes, posting minutes, and recording minutes.
- Executive Session – The limited reasons for which an Executive Session can be used and what can and cannot be done in Executive Session.
- Violations of Open Meeting Law – Types of violations, how complaints are filed and investigated, and penalties for violations.
- Robert’s Rules of Order – General Principles: How actions are taken and the rules and procedures for motions, speaking, debate, and voting.

Ms. Woytenko stated that staff’s role is to assist the Commission with the Open Meeting Laws and Robert’s Rules. She noted that staff’s goal is to maintain compliance with the Open Meeting Law.

Chair Berryhill thanked Ms. Mangone for the very informative presentation. Chair Berryhill stated that in the past, there was specific training for Commission members on these types of procedures; however, it appeared as if those training meetings were no longer held. She suggested re-instituting the training meetings.

## 7. SOLID WASTE COMMERCIAL RATES

Ms. Woytenko gave a detailed presentation on Solid Waste Commercial Rates, which included the following information:

### Why We Provide Services

- Benefits the Community
  - Competitive Pricing - Not in business to make a profit /
  - To provide options for Residential Customers
- City Required Commercial Service
  - The City is required to inspect its own services as well as that of private providers. The City charges private providers for the inspections.
- Internal City Services
  - City Buildings and Parks
  - Special Projects and Events

### Front Load Services

- The City offers large bins in a variety of sizes
- Tends to be utilized by smaller businesses
- The City wants to remain a good, low-cost alternative for small businesses
- Bin Sizes and Service Days
  - Sizes: 2 Yard, 3 Yard, 4 Yard, 6 Yard, 8 Yard
  - Can be picked up Monday through Saturday
  - Pick up can be scheduled from one time a week up to six times a week
  - There are different rates for bin size and pick up frequency
- Rate History – Front Load
  - January 1, 2008: Adjusted 10% on 2 and 3 cubic yard bins, 6% for 4, 6, and 8 cubic yard bins
  - January 1, 2020: Adjusted 10% on all services and fees

- January 1, 2021: Adjusted 2.5% on all services and fees
- FY21-22: Rate Review – A detailed proposed charge of rates was provided.

#### Roll Off Services

- Container Rental
- Can be a one-time rental or a permanent rental
- Last year, there were 172 different customers, of which 95 were permanent
- Bin Sizes and Service Days
  - Sizes: 10 Yard, 20 Yard, 30 Yard, 40 Yard
  - Can be serviced Monday through Friday
  - Only serviced when customer calls in, not on a regular schedule
- Rate History – Roll Off
  - Rates have been increased on January 1 of the following years: 2008, 2013, 2020 and 2021. Rate increases were displayed and explained.
  - Two fees: one-time service rate and disposal tonnage fee based on weight

#### Potential Impact if Services Are Not Provided

- Costs to the City
  - An additional \$500,000 annual cost to the City because the General Fund will be reduced by \$500,000 not collected for the service.
  - Uncontrolled Service Costs, as the City would have to pay fees charged by competitors.
- Impacts to Residential Customers
  - Indirect costs of \$775,000, which is a \$1.17 to the residential rate
  - Uncontrolled Service Costs
  - Possible increase in illegal dumping
  - Possible increase in residential trash tonnage

#### Major Cost Factors

- Increases to the following costs: salaries/employees, landfill, equipment, insurance, and indirect

Proposed Rates – Staff’s recommendation of 5 Year rate adjustments to be a cost recovering service, which includes CIP expenses.

- Year 2022
  - Front Load: 10% increase
  - Roll Off New Rate: \$225 Pull Charge and \$29 Disposal Per Ton
- Year 2023
  - Front Load: 7% increase
  - Roll Off New Rate: \$240 Pull Charge and \$30 Disposal Per Ton
- Year 2024
  - Front Load: 5% increase
  - Roll Off New Rate: \$245 Pull Charge and \$31 Disposal Per Ton
- Year 2025
  - Front Load: 5% increase
  - Roll Off New Rate: \$250 Pull Charge and \$32 Disposal Per Ton
- Year 2026
  - Front Load: 5% increase
  - Roll Off New Rate: \$255 Pull Charge and \$33 Disposal Per Ton

#### Tentative Timeline

- City Council review: February 2022
- Post on City’s website for 60 days – per Arizona Statute 9-499.15

- New Rates effective: April 2022

Commissioner Flatau inquired as to how staff determined a 10% increase for the first year. Ms. Woytenko explained the factors in the calculation, such as the number of customers, number of bins, the revenue requirement, and the cost of servicing. She stated that the calculation came in at approximately 9.87% and therefore, it was rounded up to 10%. Commissioner Flatau asked if staff researched the fees charged by competitors. Ms. Woytenko replied in the positive and stated that even with the proposed increase; the City will be about 10% below the competition.

Vice Chair McGrew did not see that the 10% increase would keep up with inflation and asked if staff was comfortable with the figures. Ms. Woytenko replied in the positive and stated that the City was not in this business to make a profit, but rather to cover costs and provide a good service.

**Motion by Commissioner Flatau, second by Commissioner Ford, to accept the proposed Solid Waste Commercial rates as presented by staff. Motion carried 6 – 0.**

Ms. Mangone requested that the Commission also make a motion to recommend sending the proposed rates to Council.

**Motion by Commissioner Flatau, second by Commissioner Ford, to send the proposed Solid Waste Commercial rates as presented by staff to City Council for approval. Motion carried 6 – 0.**

#### 8. 2022 COMMISSION CALENDAR AND AGENDA TOPICS

Ms. Alberty presented the draft 2022 Commission Calendar and facilitated discussion to finalize the agenda topics. Ms. Alberty read aloud the role of the Commission.

Commissioner Short requested an update on the water supply in either March or April, stating that having a presentation in October was too long to wait for an update. Ms. Sheldon explained that the key items regarding the water supply are in the 24-month studies published annually in April and August. Ms. Sheldon announced that staff was presenting information on the water supply at a Council Workshop on January 25<sup>th</sup> and the presentation will be available for public viewing. Ms. Alberty recalled that in the past, it was agreed timely information on the water supply could be included in Mr. Johnson's Director's Report. Commissioner Short stated that he greatly appreciated Mr. Drew Swieczkowski's in depth presentations on the water supply.

Mr. Johnson announced that Council requested a drought update every ninety days or once a quarter. He stated that an update will be given to Council on January 25<sup>th</sup> and staff could give the Commission the same presentation after it is given to Council. Commissioner Short replied that he would like to receive the presentation. Commissioner Ford agreed and commented that she has been requesting more information on the topic for a long time. Vice Chair McGrew suggested that the Commissioners watch the video of the presentation to Council so that staff does not have to duplicate its efforts. Commissioner Ford stated that a presentation to the Commission would allow for questions to be asked. Commissioner Short agreed. Commissioner Flatau suggested that the video of the presentation could be played at an upcoming Commission meeting and discussion and questions can then be held or Commissioners could watch the video on their own time and have an agenda item for discussion and questions only. Mr. Johnson suggested placing the topic on the Commission's May agenda, after the April 24-month study is published.

Ms. Alberty stated that the goal for today was to finalize the draft calendar and then vote on the calendar at the February Commission meeting.

Commissioner Flatau noted that the Balanced Scorecard was included in the calendar in the past and did not see it on the proposed calendar. Ms. Alberty stated that there was no update at this time as implementation of the Scorecard would not occur for a few years since not all departments have completed their training. Ms. Mangone indicated that an update on the Scorecard could be included in the Director's Report.

#### 9. COMMISSIONER COMMENTS AND SUGGESTIONS

None.

#### 10. FUTURE AGENDA ITEMS

Chair Berryhill announced the following:

- February 2, 2022: Finalize CY 2022 Calendar and Topics  
Review Water Services FY21-22 CIP Project Status  
Landfill North Cell Development and Funding

#### 11. NEXT MEETING

The next meeting regular meeting of the Citizens Utility Advisory Commission will be held on February 2, 2022 at 6:00 p.m., at the Oasis Water Campus, 7070 W. Northern Avenue, Glendale, Arizona, 85303.

#### 12. ADJOURNMENT

**Motion by Commissioner Froke, second by Vice Chair McGrew, to adjourn the meeting at 7:25 p.m. Motion carried 6 – 0.**