



**GUAM SOLID WASTE AUTHORITY  
BOARD OF DIRECTORS' MEETING MINUTES  
Thursday, March 11, 2021  
1:05 pm-2:43 pm  
Guam Solid Waste Authority Via Video Conference**

**I. Call to Order**

The Guam Solid Waste Authority (GSWA) Board of Directors' meeting was called to order by Chairman Gayle at 1:05 p.m.

**II. Roll Call**

**Board Members:**

Andrew Gayle	Chairman
Minakshi Hemlani	Vice Chairwoman
Margaret Denney	Secretary

**Management & Staff:**

Larry J. Gast	General Manager
Pedro A. Leon Guerrero Jr.	Assistant General Manager
Katherine Kakigi	Comptroller
Alicia Fejeran	Chief of Administration
Roman Perez	SWM Superintendent
Jesse Murakami	Safety Officer
Keilani Mesa	Administrative Assistant

**Guests:**

Ken Orcutt	Office of the Attorney General of Guam
Charlene Flores	Office of Senator Perez
Jerry Partido	PNC

**III. Approval of Minutes**

The Board reviewed the minutes for the Board meeting held on February 11, 2021. Vice Chairwoman Hemlani made a motion to approve the minutes and the motion was seconded by Secretary Denney. The motion was passed unanimously. The Board reviewed the minutes for the Board meeting held on February 25, 2021. Vice Chairwoman Hemlani made a motion to approve the minutes and the motion was seconded by Secretary Denney. The motion was passed unanimously.

**IV. Reports**

**a. Management Reports**

**i. Operational Update**

Comptroller Kakigi went over the Revenues and reported that there is a shortfall of 600k. She stated there is an increase at the Transfer Stations. Comptroller Kakigi stated that expenditures are still tracking the same as it was in December 2020. She highlighted that the increase in PHR is primarily due to the loss of classified employees and that the costs of fleet maintenance has not improved. Secretary Denney inquired why the employees left and where they went. Management stated that the reasons were retirement and relocation off-island.



Comptroller Kakigi stated that the net change to date is a loss of 257k. Chairman Gayle inquired on the replacement of the vehicles and requested that General Manager Gast and Assistant General Manager Leon Guerrero Jr. work together a plan and provide the Board with a timeline regarding the replacement of the vehicles.

**b. Committee Reports**

**i. GM Search / Succession Plan**

Vice Chairwoman Hemlani stated that they had an interview earlier with a potential candidate; however, because of how the legislation regarding the education requirement is limiting. Chairman Gayle stated that he sent the proposed language to Senator Perez and she was receptive to making the amendment to the existing legislation. Chairman Gayle stated he will follow-up on the status of this next week.

**ii. Zero Waste Round Table / Revolving Recycling Fund Subsidy**

Chairman Gayle explained that Assistant General Manager Leon Guerrero Jr. submitted a letter to Administrator Leon Guerrero at GEPA and inquired on whether he received a response. Assistant General Manager Leon Guerrero Jr. stated that the GEPA Administrator stated that he has a meeting with Senator Perez regarding the funding. Chairman Gayle stated he will follow-up with Senator Perez's office. Assistant General Manager Leon Guerrero Jr. stated he will follow-up with Administrator Leon Guerrero at GEPA. Comptroller Kakigi stated she will reach out to people at GEDA for grant opportunities for the recycling expenses.

**V. Unfinished Business**

**a. Status of Receivership**

**i. Ordot Post Closure, Update to the Court**

Attorney Orcutt stated he will be speaking with the Receiver's legal counsel tomorrow and hopefully be able to provide a status update. General Manager Gast stated he spoke to the Receiver earlier this week and last week and stated that Mr. Chris Lund does not see any outstanding issues that USEPA could object to. He is confident that everything should move smoothly. General Manager Gast stated that the manager at Brown & Caldwell is now employed with EA Engineer.

**b. Rate Change Update**

**i. Procurement of Consulting Firm**

Attorney Orcutt provided the opinion that the current contract with GHD does not cover the rate increase. Chairman Gayle stated that management should proceed with the procurement for a consulting firm for the rate increase.

**ii. Include other Revenue Enhancements in the Rate Update?**

1. **Charge for Printing Bills**
2. **Deposit for Carts**

**iii. Breakdown Residential and Commercial bills into line items**

1. **Collection, Disposal, Admin., Debt Service, Reserves**

**c. CIP Grant Request Update**

Chairman Gayle stated that Comptroller Kakigi will continue to follow-up with these grant options.

**d. Mandatory Trash Collection**

Chairman Gayle stated that management met with the Governor and the Governor's Fiscal Team. He stated that Comptroller Kakigi and Bertha Duenas had worked on a financial impact model; however, the numbers are conservative. Chairmen Gayle also stated that, at the end of the discussion the Governor wanted the Board to take a look at what financial impact that GSWA had due to COVID and if that funding was to be granted to GSWA to offset revenue loss would that also



offset the need for a rate increase. Chairman Gayle stated he expressed that no one wants to implement a rate increase but that GSWA is operating at a loss and had to divert revenue from the reserves to cover expenses. Chairman Gayle stated that in his opinion he thinks that if the funding is received that it could affect the timeline of a rate increase.

**e. Government of Guam vs. US Department of Navy in the Supreme Court**

Attorney Orcutt stated that a brief was filed on behalf of Guam and the next brief will be on behalf of the US that would be in opposition to Guam's brief. Attorney Orcutt stated that the US brief might take about another 30 days. He stated this could be several months before oral arguments are even aired.

**f. Cell 3 Construction Update**

General Manager Gast stated that there was a little flood on the island earlier in the week and the contractors are in the process of moving the water out. He stated that Northwest Lining underestimated the amount of material they would need particularly for the tie end to cells 1 and 2 and is hoping that they do not run out of materials before the necessary materials are received on Guam. General Manager Gast estimates that they may end in the last week of June. He stated that they are requesting for GSWA to pay for the materials, labor, and costs for the 19-day shut-down. General Manager Gast stated he has said no to that request. Chairman Gayle inquired on when the Board members can visit to see the progression. General Manager Gast will schedule a visit in the coming weeks.

**VI. New Business**

Secretary Denney inquired on the lawsuit that was brought against the Government regarding the pay. Attorney Orcutt stated that the lawsuit is ongoing and there has been a file to dismiss. Attorney Orcutt stated that there is no court hearing or pending motion to dismiss the case. Secretary Denney inquired on the Union subject that was brought up months ago regarding the Collective Bargaining Agreement between GSWA and the GFT Union. Department of Administration verified that the employees who were seeking Union representation were eligible for it.

**VII. Open Discussion**

None.

**VIII. Public Forum**

None.

**IX. Next Meeting**

The next Board meeting is scheduled for Wednesday, April 7, 2021 via video conference at 1 p.m.

**X. Adjournment**

Vice Chairwoman Hemlani moved to adjourn meeting at 2:04 p.m. The motion was seconded by Secretary Denney and passed unanimously.