



**MINUTES OF THE MAY 16, 2011  
REGULAR MEETING OF THE BOARD OF DIRECTORS**

**1. CALL TO ORDER**

The Upper Valley Waste Management Agency met in regular session on Monday, May 16, 2011 at 1:30 p.m. at the Yountville Town Council Meeting Chambers. Vice Chair Slusser called the meeting to order at 1:38 p.m.

**2. ROLL CALL**

The following members were present: Vice Chair Karen Slusser, member Diane Dillon, member Marjorie Mohler, and alternate member Del Britton. Chair Mark Luce was excused.

**3. PLEDGE OF ALLEGIANCE**

Vice Chair Slusser led the Pledge of Allegiance.

**4. PUBLIC COMMENT**

None

**5. CONSENT CALENDAR ITEMS**

**A. Approval of Minutes**

Staff requested approval of the March 21, 2011 regular meeting minutes.

The Agency Manager reported that the cost of performing a Proposition 26 election, assuming this election was combined with another regularly scheduled election, would be about \$10,000 (based on discussions with the County Director of Elections). There is some uncertainty in that estimate because the UVA boundaries have not been previously surveyed by Elections. This information was provided in response to item 6.C of the March 21, 2011 meeting. Steve Lederer also confirmed that the minutes of the March 21, 2011 meeting were comprehensive after Member Dillon questioned the omission of Sharon Crull exploring ideas to fend off effects of Proposition 26 regarding fee waivers. Mr. Lederer noted that since there is no official written policy on fee waivers, Proposition 26 would apply to any new policy and therefore fee waivers will be prohibited once new rates are adopted (presumably on July 1).

Approved Consent Calendar: MM-DD-KS-DB(A)-ML(X)

**6. ADMINISTRATIVE ITEMS**

**A. California Integrated Waste Management Act**

David Briggs, ERS with the County of Napa, referred to his report on activities relevant to the Act found in the packet. In addition to the information in the packet, the following was discussed:

- Napa County submitted, in cooperation with Upper Valley Waste Management Agency, an application for \$134,000 in state (CalRecycle) grant funds for collection of household hazardous wastes. The project would include five household hazardous waste collection events over two years in the up-valley and east county areas. CalRecycle plans to announce the grant awards in June or July. Recipients have until the end of March 2013 to complete projects.
- Up-Valley communities qualify for \$5,000 and Napa County qualifies for \$10,000 of state

Beverage Container Recycling and Litter Reduction Program funds each year. The up-valley communities have, for over ten years, had UVWMA pool these funds and use them for cooperative up-valley recycling and public education efforts. The application period for these funds closes at the end of May, 2011. The County and City of St. Helena have submitted applications for the current funding cycle. The City of Calistoga and Town of Yountville are still considering whether to have UVWMA apply on their behalf or to apply for and manage the communities' allocation of funds independently.

Member Mohler commented that Town of Yountville prefers to allocate funds for their Town-Wide Clean-Up event, questioning whether or not it was plausible and legal, adding that the decision will determine their involvement in application process.

Member Slusser questioned whether funds from the Recycling and Litter Reduction fund will still be available once the state gets done with their budget process, and whether the funds roll over annually. She also questioned whether purveyors/Waste Management Companies were being compensated by these funds.

Dave Briggs stated that through the same program, the Waste Management Company is compensated for beverage container processing, unrelated to money that comes back to the cities and counties, commenting that the state uses another pool to fund curbside programs. Mr. Briggs also commented to the board on the vulnerability of the program, noting that the program could vanish, while also commenting that the funds expire at the end of each fiscal year (use them or lose them).

Bob Pestoni added that the Company has been impacted by changes to the State reimbursement program and with regards to who they can sell the glass to. The program is changing, with the waste hauler receiving a smaller percentage of the money.

**B. Extended Producer Responsibility Presentation and Resolution**

Ken Wells, Consultant for the California Product Stewardship Council, (CPSC) referred to his report on Extended Producer Responsibility (EPR) and authorization for the Chair to sign the resolution found in the packet. In addition to the information in the packet, the following was discussed:

In supporting the idea of Product Stewardship and adoption of the Resolution, Mr. Wells explained that UVWMA would join over 125 other local jurisdictions, including the City and County of Napa giving the State legislature an understanding of the broad support of EPR throughout the communities, in both rural and urban areas. The Product stewardship Council will present these resolutions to the legislature in Sacramento, urging them to adopt Product Stewardship legislation. Mr. Wells added that numbers do count in this matter, with regional agencies, counties and cities, adopting these resolutions; it would be beneficial to add St. Helena, Calistoga and Yountville.

From an economic perspective, EPR is a direct benefit to the Agency, in that the idea suggests a policy approach that requires manufactures and retailers to establish and fund recycling and waste disposal systems for their products. This approach lessens the burden of waste management on local agencies by creating an incentive for manufacturers and industry groups to consider less wasteful, more recyclable, and less hazardous product design.

EPR currently covers rechargeable batteries, while paint is soon to follow. Numerous other items, including fluorescent lamps and alkaline batteries are being considered in EPR bills, which may pass in 2012.

Member Britton referred to Bob Pestoni, in which Mr. Pestoni replied that he supports the program.

Agency Manager Steve Lederer confirmed EPR's direct cost benefit to UVWMA, stating that, county wide approximately \$500,000 is spent through the House Hold Hazardous Waste Facility on Devlin Road. Approximately \$100,000 is spent to recycle paint. Mr. Lederer noted that due to recent support of the Paint EPR Bill, as of July 1<sup>st</sup>, 2012 the paint manufacturers will be responsible for these costs.

Motion made and approved for adoption of resolution with minor wording changes: MM-DD-DB-KS-ML(X)

**7. FRANCHISES' BUSINESS ITEMS**

**A. Franchise's Status**

The information in the packet was discussed.

**B. Waste Management Companies' Issues**

Christie Abreu reported success of recent events as follows: E-waste event held at the Napa Valley Museum with over 100 cars coming through, Vintage High School Environmental Health Club was there to help, collecting over 4 tons of electronic material; Earth Day event, held at Pioneer Park collected over 1.5 tons of Electronic Waste, making note that numbers would have been higher, if not held on same weekend as Easter. Ag Drip hose event, held on May 6th, collected roughly 39 tons of material, 35 vehicles came through.

Ms. Abreu also reported on the recent tours at both Landfill and transfer station facilities with students from Yountville and St. Helena Elementary Schools participating. Ms. Abreu noted that UVDS is using some of its public education funds to sponsor transportation for school groups to facilitate landfill tours.

Member Slusser questioned why Calistoga schools and students were not included in the tours.

Ms. Abreu stated that after many attempts to contact Calistoga Schools, she never received a response.

**8. OTHER BUSINESS ITEMS**

**A. Manager's Report**

Agency Manager, Steven Lederer, referred to his report on activities related to the Agency. These included the following:

- Monthly financial reports and annual CFL tonnage analysis were discussed. The manager noted landfill surcharge revenue is on track to exceed budgeted revenues by about \$20,000, but HHW expenses are also exceeding the current budget by about \$10,000. As proposed the Agency will likely start the year with a fund balance of approximately \$45,000 and complete the year with a fund balance of \$50,000
- UVDS has submitted its rate proposal for the coming fiscal year. The proposal includes a 6.56% increase in rates, driven by increased expenses (primarily labor and fuel) and essentially unchanged revenue. The proposed increase at CFL is approximately 1% (based on CPI), from \$64.16 to \$65.13 per ton.
- Member Mohler commented that Yountville currently does not have mandatory trash pick-up, asking whether it's too late to change that policy before rate changes in June. Ms. Mohler noted that Yountville has a large percentage population of second home owners; bearing in mind that mandatory trash pick-up might level out rate increases for full time residents.
- Counsel Rob Paul advised that instituting a mandatory service charge will implicate prop 218, including that it is too late to implement for a rate change proposal in June, with statutory 45 day public hearing notice period required. He also noted that City of Napa does have mandatory trash collection, but must go out for a prop 218 vote every time rates change.
- Mr. Pestoni suggested looking at Yountville customer water rate ratios in comparison to UVDS collections, to see how many people are using other services and not using collection services.
- Steve Lederer commented that jurisdictions, who implement Road Impact Fees, do it through a franchise fee, noting the fee is added on to Garbage bill.
- Linda Sereni commented to the board that UVSD does not work with City/Town water bills, making it very difficult for company to track changes in collection services, and essentially impossible to enforce mandatory service and track down unpaid bills.

No action taken.

**B. Reports from Jurisdictions**

- i. Napa County: None
- ii. Calistoga: None
- iii. St. Helena: None
- iv. Yountville: Member Mohler mentioned Yountville Town garage-sale took place May 14th, which if funds still existed, "Free Garbage Service" would take place May 21<sup>st</sup>, noting that Constituents urge for the event to continue annually.  
Agency Manager Steve Lederer stated that the Yountville town-garage-sale garbage service cost approximately \$7,000 in the past. The Town of Yountville currently has a "free service" balance of approximately \$3,700 to cover part of that total cost. Town of Yountville would be responsible to pick up the difference. County of Napa has approximately \$13,000 remaining; St Helena \$10,000 and Calistoga \$0.

No action taken.

**C. Board of Directors Comments**

None.

**D. Future Agenda Items**

None.

**9. ADJOURNMENT**

Meeting was adjourned at 2:28 p.m.

AYES: \_\_\_\_\_  
 NOES: \_\_\_\_\_  
 ABSTAIN: \_\_\_\_\_  
 ABSENT: \_\_\_\_\_

By: \_\_\_\_\_  
 ATTEST: Steven Lederer, Manager of the Upper Valley Waste Management Agency

KEY  
 Vote: DD = Diane Dillon; MM = Marjory Mohler; ML = Mark Luce; SC = Sharon Crull; KS = Karen Slusser  
 The maker of the motion and second are reflected respectively in the order of the recorded vote.  
 Notations next to vote: N = No; X = Excused; A = Abstain; B = Absent