



**MINUTES OF THE FEBRUARY 8, 2016
REGULAR MEETING OF THE BOARD OF DIRECTORS**

1. CALL TO ORDER

The Upper Valley Waste Management Agency met in regular session on Monday, February 8, 2016 at 1:30 p.m. at the Yountville Town Council Chambers. Chair Luce called the meeting to order at 1:34 p.m.

2. ROLL CALL

The following members were present: Chair Luce, Vice Chair Mohler, Member Dillon, Member Crull, and Member Canning (*Member Crull left at 2:25 after item 6C discussion*)

3. PLEDGE OF ALLEGIANCE

Chair Luce led the Pledge of Allegiance.

4. PUBLIC COMMENT

None

5. CONSENT CALENDAR ITEMS

A. Approval of Minutes

Staff requested approval of the November 16, 2015 regular meeting minutes.

Approved Consent Calendar item 5A: SC, MM, ML, DD, CC

6. ADMINISTRATIVE ITEMS

A. California Integrated Waste Management Act

Report as written.

Clarifying note: Spring Hazardous Waste Collection event for the 8th is for business collection and the 9th is for residential collection.

B. Elections

Member Dillon motioned to re-elect current Chair Luce and Vice Chair Mohler for the next term. Member Canning second the motion.

Approved Administrative Item 6B: DD, CC, MM, ML, SC(X)

C. Strategic Planning

(This item continued from November meeting due to lack of a full Board at that meeting)

(Member Crull left at 2:25 after item 6C discussion. This item moved forward to accommodate scheduling)

In our last meeting in November we had an exhaustive discussion about potential topics the agency might be interested in studying in more depth, with or without a consultant. Content of the discussion was captured on CD which included the presented PowerPoints, plus additional discussion. This was provided to the two board members not present at the meeting. Additionally, minutes included detailed discussion.

Chair Luce & Member Dillon agreed there was lots of good information provided, and they were very interested to hear what the State and the City of Napa are doing.

The Agency Manager also commented that what became clear from the presentations was that organics is the next best thing, and this is being driven by climate planning. Very important to keep organics out of the land fill. It's clear legislatively that we are required to have a commercial organics program, which we already have to a

large extent. City of Napa is currently doing residential organics, even though not legislatively required. Hard to say if it ever will be required or not. It is pretty clear we are going to have to learn to deal with keeping the organics out of the landfill from a commercial stand point. Residential would be optional, although we are pretty well positioned to do so. The renewable energy efforts, and compressed natural gas, those sort of things largely fall under discretionary actions.

Vice Chair Mohler mentioned that she was recently at an Environmental Quality Community California League of Cities meeting that she is on. There was a presentation by CalRecycle, basically stating that they are running out of money to operate because we have done such a great job recycling that they are not getting their tip fee like they used to. In order to raise money and keep themselves in business they are proposing to raise \$150 million through increased tip fees, plus maybe a household generation fee. They want the hauler to collect the fees and send it to them. In theory funds will be used to support more organics education and diversion. Another big problem noted was that the markets for collected recyclable materials have crashed in recent months. To the point of the Strategic plan would be nice that we still have time to do it and we have never had one. We all agree a strategic plan would be useful. Don't think it needs to be technical.

Vice Chair Mohler also noted that she doesn't feel like any of us are true experts in this field and a consultant might help us see other things coming.

Member Canning: Primary thing that came out of this discussion was an understanding of what we need to hurry up and take care of and what can wait. From the two previous discussions on this matter, we realized we do not have a strategic vision moving forward. For something as specific as this industry, an external consultant whose background is specifically this may be of value. Now with this outside information from the Miller's, it kind of settled things a little bit and also highlighted things that we really needed to be concerned with.

Member Dillon does not necessarily see need for consultant. Board can set some general direction. Feels the board received lots of free help from the two Miller presentations.

Member Canning would advocate for someone who is in the industry and this is what they do. As we said earlier, we don't know what we don't know.

Chair Luce: Also believes we should have someone that knows the industry well and do need a strategic plan. Love the idea of Kevin coming back, since he is really a local expert and knows the valley. Knows what's being done and what is driving the different issues. He could help us identify the gaps that we have. He could just facilitate for us.

Agency Manager: Kevin Miller is under no obligation to come back. He has another job and other bosses. He cleared with his bosses coming the last time. Not that optimistic we will get much more of his time at this point.

Member Crull: Felt previous potential consultant was nonresponsive to our requests. Maybe we can just go over all that was presented and then we can come up with a strategic plan.

Member Dillon adds: Would like to start with general policies and examples from other jurisdictions. Maybe we can look at examples from other small agencies with four jurisdictions. How do they address issues like mandatory pick up? Other things like organic foods and waste, C&D. When you contract with an entity, you put a little faith in that entity. Now that we entered into this contract I don't want to appear that we are second guessing the company, because we are not.

Vice Chair Mohler: This is more about checks and balances, not about second guessing. Public would be involved and hope to have participation from the company because they have so much information we don't have. We would work collaboratively.

Member Dillon: What if we start with basic policies. Don't believe we need to pay a consultant.

Chair Luce: He would like to hear from three different entities. What they think we should be working on. What questions should we be asking? What are the suggestions to address that? Three entities being: our own staff, our franchisee and the public. Once we have that list of questions and possible solutions, then we can look at it and determine which need more study. See if that makes for an outline of a strategic plan.

Member Dillon: Going back to policies, if we have a policy that states we want to do more than the minimum, this is pretty much what we have been doing. We want to keep our local landfill, for an example. Believe we need to set the guidelines, so then a consultant knows exactly what we are looking for.

Board asked Agency Manager or staff to put something together and guide board through that initial threshold.

Agency Manager: Bulleted some of the issues in the staff report but can add detail and put them in the form of a question and work on a concept of an answer. Board would not be bound to it. For example, the board has always fully subscribed to keeping the landfill alive as long as we could. We have a third party that is built into the structure of this business. Also, with the C&D facility Board was not under any legal obligation but board believed it was the right thing to do and this was supported by our citizens. No strategic plan was in place then, the board just decided. There are pluses and minuses for owning your own facilities or contracting out. One of the pluses of this kind of structure is, at the end of the day, we are not liable. They own the landfill, they own the trucking company, they are under contract with us, and they are required to stay in compliance. If they fall out of compliance, obviously there are ramifications. Only if the company was so far out of compliance and the landfill closed, then there would be ramifications for us. They're not our fines or our penalties. They are required to operate, Greg Pirie (the LEA) is required to regulate. In this sense it is unlike Napa Vallejo Waste Management Agency which owns the Devlin Road Transfer Station. If the Devlin Road Transfer Station is out of compliance, the government agency is on the hook for it.

Vice Chair Mohler: Looking at knowing what is mandated by state law. Is it mandatory that we are at 75% recycling by 2020 or is that a target?

Agency Manager: 75% target is a statewide target. It is not a jurisdiction by jurisdiction target. There are no penalties for not meeting target.

Member Dillon: What if we have Steve bring back a draft policies and ideas from other jurisdictions to consider and give us food for thought. Figure out what else we need to know. Figure out where we want to go from there.

Bryce Howard with Company: Believes Board is heading in the right direction. There are a lot of jurisdictions that are happy being at 50% then there are others who strive to get at 100%. There are those extremes in Northern California. I think having those principles would be very helpful. We believe to know what the board wants but it is really good to hear what's wanted. Our plans are about expanding an organics recycling program. If for some reason you did not want to do that, then it would be good to know that

Board directed the agency manager to return in March with potential policies (or subject areas) for further consideration.

7. FRANCHISES' BUSINESS ITEMS

A. Franchises' Status

Christy Abreu reported that UVDS will be resubmitting their Conditional Use Permit modification at end of the month to the Planning Department. One of the major things being proposed is a two sided 12,500 sq ft Ag type barn that will hide existing compost operations from adjacent property owners. Food waste and green waste would come in and get ground and then composted. It creates a buffer for noise and any other problems that may occur.

Bryce Howard/ Christy Abreu: The mixing barn is sort of the front end of the process similar to Napa. In Napa the product goes into a big digester and in ours it goes into an air static pile compost system. Basically does the same thing but in ours we are not pulling the gas out for reuse, it's not an enclosed system. Jury is still out a little bit on how cost effective it is.

Vice Chair Mohler: We might get into this detail a little later but if food waste goes into this would it increase the supply of compost?

Christy Abreu: Not applying for new tonnage. Staying under the original tonnage allowed in the use permit, and there will be no new traffic. When that composting facility was permitted and built it turned out to be bigger than what we've needed. Part of that is because some of the wineries are dealing with that product on their own. All of Sutter Home stuff goes out to another county. People see value in that feed stock. There are a lot of people who sell their grape pomace to go to poultry and cattle feed. We've lost some customers and picked up others. Only

have 8,000 customers.

B. Waste Management Companies' Issues

Earth Day coming up in Calistoga. Will talk about more in detail in March's meeting.

8. OTHER BUSINESS ITEMS

A. Manager's Report

The manager noted a mistake in the Financials report, whereby too much money had been encumbered in the HHW line item. Subsequent review indicated that accounting had encumbered funds from both our old and new HHW contractor. This has been corrected. Year to date expenses are well within budget and are correct.

Assembly bill 45. This is the Assembly's attempt to address pharmaceutical, sharps and Household Hazardous Waste. Not yet approved bill, possibly gotten through the Assembly but not yet through the Senate. Talks about CalRecycle creating model programs that the individual jurisdictions would then theoretically have to adopt. Would require us to establish a curbside program which we believe is the least efficient and most costly.

At last review it had gone through to the Assembly on a 43 to 12 vote and it's on the way to the Senate. We will continue to track it. At the moment it is not a particularly friendly bill for us.

On the 5th page of the managers packet is a draft memo from the Company listing of things they might be asking for in the May packet, to give the Board a heads up. Do not need to talk more about them today but if there is any interest in learning more about any of those, we can have the company come back and talk more about what they are thinking about and why. Board will not take any binding action on it until the actual rate package. Just trying to get information in front of the board earlier so everyone has more time to think and talk about things. At our next meeting the Company can provide additional information if the Board is interested. The Board stated that they were interested.

The Manager provided a brief on the used oil program, for which the county receives roughly \$30,000 a year from the state to encourage recycling of used oil. It's used in all the jurisdictions. When the program first started, which was maybe 15-20 years ago, there was really no place to recycle oil and so part of this program created oil collection tanks in various locations. There was one out in the Marina in the Carneros area, one at PUC in Angwin and one in St. Helena. Since then many other collection sites have been established, mostly at private businesses. As such the County is getting out of the tank business and will instead use the money for education and other similar expenses. The Marina is actually running their own program now without help from the County and the tank at PUC is closed and has been for a year or two. The college is not interested in maintaining it. The third one is at the Corp Yard in St. Helena (on Fulton behind the Teen center). The City has also asked a couple of times, essentially with each new Public Works Director, if they could go out of business, so it is time to close that one as well.

There was a recent problem with that tank in St. Helena. Contamination of a hazardous chemical was found in the tank. Someone dumped chlorodyne contaminated oil in the tank and we ended up with a \$9,000 bill for the hazardous waste to be hauled off. Although the agreement with St. Helena states that they are responsible for that bill, the Manager recommendation that UVA cover that invoice under our HHW responsibilities. With the Board's approval Manger would return with a budget adjustment. St. Helena would then like to also close that tank.

Vice Chair Mohler: Would like to preserve funds for potential hiring of a consultant but otherwise nods of approval for expense.

B. Reports from Jurisdictions

- i. Napa County: Napa Vallejo Waste Management Authority seems to be doing well. Transfer station is doing well financially. Spending money on capital upgrades, which they now have, after paying off their bonds.
- ii. Calistoga: Nothing to report. Member Canning will not be here for the next meeting but will have alternate, Gary Kraus come in.
- iii. St. Helena: Member Crull stated before her departure that she is in favor of residential organic recycling.

- iv. Yountville: Planning for Earth Day to have a shred-it and e-waste collection event organized with West America Bank on Friday, April 22, 2016 from 2-4pm. Bring anything but a refrigerator. Will send Christy an e-mail with all the details. Will also reach out to Napa Vintners, so they can have all their regulatory wine labels that they are not allowed to just throw away. This truck will chew up anything you can throw at it. Also planning on having our annual Clean Up Day in May.

C. Board of Directors Comments

Vice Chair Mohler: Burning of vines in the vineyards. Where do we talk about this? This is an issue. Is this something we can discuss and make a policy and send a letter to somebody? It is waste and does it make sense to talk about that?

Chair Luce replies: Our role would be the biochar or creating some avenue on where these materials would go. Then I suppose it's the County's role to decide if that is something we want to address, in terms of open burning versus requiring something else be done. Think it is part of the Climate Action Plan.

Member Dillon: It's been a discussion for many years. Have had discussions with the Bay Area Air Quality Management District that regulates this, with the Fire folks, and with the Napa Valley Grape Growers. Grape Growers putting on classes to teach people how to burn without creating so much smoke. People are just more aware of the effects of burning. Believes Board of Supers will have to take action sooner then later.

Vice Chair Mohler adds: I think with all the awareness with the Climate Action Plan and Green House gases, this seems to be in conflict.

Manager Steve: From the standpoint of this Agency we've created an outlet for that waste or product. In a sense we've done our part. Now it's a question from a regulatory standpoint, whether it is County or Air Board or whoever creates the regulation, that either does or does not cause that change.

D. Future Agenda Items

Keep meeting in March.

9. ADJOURNMENT

Meeting was adjourned at 2:57 p.m. The next regularly scheduled meeting of the Agency Board of Directors will be held on Monday, March 21, 2016 at 1:30 p.m. in the Yountville Town Council Meeting Chambers.

AYES: _____
 NOES: _____
 ABSTAIN: _____
 ABSENT: _____

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

KEY

Vote: CC = Chris Canning; DD = Diane Dillon; ML = Mark Luce; MM = Margie Mohler; SC = Sharon Crull
 BW = Brad Wagenknecht; GK = Gary Kraus; JD; Jeffrey Durham; PD = Paul Dohring
 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