



**MINUTES OF THE JUNE 24, 2019
REGULAR MEETING OF THE BOARD OF DIRECTORS**

1. CALL TO ORDER

The Upper Valley Waste Management Agency met in regular session on Monday, June 24, 2019 at 1:30 p.m. at the Yountville Town Council Chambers. Vice Chair Pedroza called the meeting to order at 1:30 p.m.

2. ROLL CALL

The following members were present: Vice Chair Pedroza, Member Koberstein, Alternate Member Dorman, Alternate Member Wagenknecht (B), and Member Canning (B).

3. PLEDGE OF ALLEGIANCE

Vice Chair Pedroza led in the Pledge of Allegiance.

4. PUBLIC COMMENT

During this period, anyone who wishes to speak to the Authority Board of Directors regarding any subject over which the Board has jurisdiction that is not on the agenda or to request consideration to place an item on a future Board agenda, may do so at this time. Individuals will be limited to a three-minute presentation.

THE BOARD OF DIRECTORS WILL TAKE NO ACTION AS A RESULT OF ANY ITEM PRESENTED AT THIS TIME.

None

5. CONSENT CALENDAR ITEMS

A. Insurance

Staff requests approval and acceptance of the Agency's proposed insurance coverage.

Approved Consent Calendar item 5A: MK, KD, AP, BW(B), CC(B)

6. ADMINISTRATIVE ITEMS

A. California Integrated Waste Management Act

No action taken. Amanda Griffis summarized the staff report provided with this agenda.

Agency Manager mentioned the Fall Event has always been at Calistoga fairgrounds, which this October the County will still control. It is possible that by the following October the fairgrounds would be under control of the City of Calistoga, at which point we will need to confirm they are still interested in holding this event there.

B. Update from Ad Hoc Committee/Selection on UVDS/CFL Contract Revisions

No action taken. Last meeting Board directed Agency Manager to execute a contract with an outside counsel, Gary Bell with Colantuono, Highsmith & Whatley, PC. Contract has been executed and meeting has been set for July 16th with committee members and staff (including Mary, Margie and Agency Manager Steve).

Member Mary adds, will be a high-level discussion on what the deliverables are going to be, timing and the scoping of the contract. Then the committee will report to the Board.

C. Discussion on notices of violation at the Clover Flat Landfill and resultant determination of breach of contract.

Agency Manger explains this agenda item will be carried on all agendas until the breach is cured. Notice of Violation issued April 9 allows for 6 months to cure, so until October 6.

Not action taken. Compliance report provided by Local Enforcement Agent (LEA) Peter Ex. Peter reported an inspection was completed in early June along with the Regional Water Quality Control Board (RWQCB) and Fish and Wildlife. They found continual improvement, as shown at last month's meeting. One violation reported last month for failure to remove certain debris, compared to eight to nine violations the previous month. Intensive fire training took place this month, going over new fire infrastructure and fire response. Leachate disposal has started and currently being removed from onsite "frac" tank and cleaning tanks in the process. Facility Manager continues to provide improvement updates and is available for questions as they arise. There is a stipulated Notice of Order that is currently in draft form and currently being discussed with Clover Flat lawyers. This will settle any outstanding penalties and will establish compliance

timeframes, moving forward. Key issues and leachate control matters will likely be deferred to the RWQCB to better coordinate with their compliance deadlines and permitting requirements. Only outstanding LEA specific issue is the fire related debris removal. The recent JTD amendment incorporates fire prevention control and operations plan was resubmitted to the LEA last week, should be ready for final approval this week. This will allow LEA to better enforce any fire related issues and confirm compliance. LEA will continue to monitor Clover Flat but have reduced inspection frequency to monthly, based on the improvements. LEA will continue to be involved with the other agencies for the long term permitting and compliance and planning.

Alternate Member Dorman asked LEA Agent, Peter Ex, if there was an available report that identifies issues and the various agency sign-offs.

LEA Agent replies, no, there is no such report as each agency is working directly with the facility establishing compliance deadlines for different types of plans or reporting documents. However, it is being monitored and as each milestone is achieved, they move on to the next priority.

Agency Manager asked LEA Agent for the status of the two or three tanks brought onsite that contained natural occurring radioactivity?

LEA Agent replies the last known status was that Clover Flat had hired a consultant to take lab tests and further evaluate the levels of radioactivity and develop a plan and handle the leachate.

Vice Chair Pedroza explains his sense from the Company is that they are demonstrating a real sense of urgency in addressing these issues; what is the LEA's overall confidence level?

Peter Ex answers his confidence level is very high today (compared to a few months ago).

Evan Edgar, Consultant Engineer, has been working with the company for the last 26 years. Previously the Interim Site Manager for the Company. He presented an update on the Company's progress and confirms Company is on the road to compliance.

Evan adds, the three frac tanks purchased from a dealer in the mid-west that had radioactivity, tests were run and results should be back within a couple weeks. These tanks with leachate are not being used for dust control. Currently working with Water Board, County and the tank sellers. The few tanks used for dust control were tested based on the approved methodology by the RWQCB.

Someone added there are 100 of these frack tanks moving around this country that people are renting or buying and are unaware of the natural occurring radioactivity originating from petroleum companies who were doing the fracking.

D. PUBLIC HEARING: Approval of the 2019/2020 fiscal year budget

Agency Manager requests approval and adoption of Agency Resolution No. 19-01 adopting the proposed final budget for fiscal year 2019/2020. Agency Manager reports a summary of the proposed 2019/2020 budget item and adds the draft version of this 2019/2020 budget was presented to the board at the last meeting. Nothing has changed on this report.

Member Koberstein asks for clarification on the future rate model for the fees.

Agency Manager mentioned that in the future the agency could be funded via the UVDS rate model instead of the tip fee, which would require a change to the franchise agreement.

Approved Administrative item 6D: MK, KD, AP, BW(B), CC(B)

7. FRANCHISES' BUSINESS ITEMS

A. Franchises' Status

Company's Christy Abreu reported the completion of the newsletter with the help of Amanda from County staff. No rates mentioned on this newsletter, which is different from the past few years. Christy introduced the new Operations Manager, Doug Spiker. Commercial food waste has continued to be delivered to the Company and properly stored. There was also the recent purchase of a (liquid sealed) truck that was available from the City of Paradise (due to the recent fires) and previously used for organics pick up. Company has temporarily transferred the commercial organics collection program to be collected here and transferred to the Levitin Way facility in South County, until Clover Flat is back up fully operational. The purchase will be seen on the new rate model.

Doug Spiker, Company's Operations Manager, stated the new equipment has really streamlined some of the programs and there will be many opportunities to make improvements for the residents within the authority/Agency. Still looking into other opportunities. Some issues arose with the collection service area in Yountville and are currently being addressed. Looking into other containers and assessing that.

B. Waste Management Companies' Issues

Company's Bryce reported there have been program changes to e-waste. He is also working on an analysis because the pricing has changed and free programs (to customers) are not free to the Company. The mix has changed (from what is coming in). Moving forward, with the industry changing Company is looking at working additional costs into the UVDS rates. More waste is being produced. Example of a commodity type is the pressure treated wood from vineyards which used to be a pretty good program for the company. Company would receive then transfer off to location that could dispose of it. Now cost and transportation prices are going up.

Vice Chair Pedroza agrees looking at the intake of good e-waste, expensive e-waste, what are the trends, and does it differ per community would be a good start.

Agency Manager Steve recalls the history of e-waste and how even 5-10 years ago e-waste was a State run program that made disposal easy. Programs like these are now shifting.

8. OTHER BUSINESS ITEMS

A. Manager's Report

None

B. Reports from Jurisdictions

- i. Napa County: Nothing to report
- ii. Calistoga: Nothing to report
- iii. St. Helena: Nothing to report
- iv. Yountville: Nothing to report

C. Board of Directors Comments

None.

D. Future Agenda Items

No meeting in July. August possibly to includes rates.

9. ADJOURNMENT

Meeting was adjourned at 2:03 p.m. The next scheduled meeting of the Agency Board of Directors will be held on Monday, August 19, 2019 at 1:30 p.m. in the Yountville Town Council Meeting Chambers.

AYES: _____
 NOES: _____
 ABSTAIN(A): _____
 ABSENT(B): _____
 EXCUSED(X): _____

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

KEY

Vote: AP = Alfredo Pedroza; CC = Chris Canning; DD = Diane Dillon; MK = Mary Koberstein; MM = Margie Mohler
 BW = Brad Wagenknecht; GE = Geoff Ellsworth; GK = Gary Kraus; KD = Kerri Dorman
 The maker of the motion and second are reflected respectively in the order of the recorded vote.
 Notations next to vote: Y = Ayes; N = No; A = Abstain; B = Absent; X = Excused