

**MINUTES OF THE AUGUST 19, 2019
REGULAR MEETING OF THE BOARD OF DIRECTORS**

1. CALL TO ORDER

The Upper Valley Waste Management Agency met in regular session on Monday, August 19, 2019 at 1:30 p.m. at the Yountville Town Council Chambers. Chair Mohler called the meeting to order at 1:31 p.m.

2. ROLL CALL

The following members were present: Chair Mohler, Member Canning, Member Koberstein, Member Dillon (arrived during item 6A). Vice Chair Pedroza was absent (B).

3. PLEDGE OF ALLEGIANCE

Chair Mohler 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. Approval of Minutes

Staff requested approval of the May 20, 2019 and the June 24, 2019 regular meeting minutes.

Approved Consent Calendar item 5A: CC, MK, MM, DD(X), AP(B)

6. ADMINISTRATIVE ITEMS

A. SB 1383 Presentation (Member Dillon arrived during this item 6A)

County's Amanda Griffis introduced Marshalle Graham, Senior Environmental Scientist with CalRecycle who presented on SB1383's requirements, objectives and jurisdiction responsibilities. Agency Manager Lederer mentioned that the presentation slides by CalRecycle are available on the AgendaNet website under the current agenda in the Upper Valley Waste Management Agency section.

Company's Evan Edgar additionally discussed the Company's current practice as it pertains to compliance with SB1383.

Public Comment: Steve Rogers, Town Manager for the Town of Yountville agrees with the diversion goals but objects to passing all the enforcement costs to local government. Believes he speaks for all jurisdictions when he says jurisdictions do not have extra staff available to enforce and monitor. Encourages this body to look at a regional approach, look at framework and what each jurisdiction may be responsible for. JPA agreement can be amended and is ready to be updated/modernized. Under current structure, each of the jurisdictions will be paying for it under their general fund, since the revenue stream comes to the JPA. Now is the time to start looking at it and start the process and education.

Member Canning agrees with the public comment and believes this JPA has to take responsibility.

Member Dillon would like to see a timeline from staff.

Agency Manager Lederer adds although the Company has taken a lot of positive steps there are still pieces of the process that neither the Agency nor the company are even close to having the manpower for, such as education, enforcement, and record keeping. All of this will likely requires raising the rates. Something else our constituents will see, that has not been seen before, is enforcement. It will be challenging but agrees with Member Dillon on starting with a schedule to lay out the steps.

Member Koberstein suggests a workshop to address the issues. In addition would like more information from the

Company on where we are furthest behind. Believes the JPA agreement can be quickly amended. Thinks the Company has been doing a great job educating the community with their various meeting presentations and informative bill inserts.

Public Comment: Dave Briggs, Napa County: Currently handles South County area but his agency is faced with the same requirements. In a recent conference he attended which addressed current AB1826, he noted there could be as many as 9 ordinances needed in order to comply with the new law.

B. California Integrated Waste Management Act

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

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

Agency Manager Lederer 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.

Peter Ex explained the Company's progress. Also reported in the agenda item.

Chair Mohler asked if other agencies have lifted all restrictions of the Company. LEA's Peter Ex responded each agency is still working with the Company on their individual compliance efforts.

Company's Christy Abreu added there are still two drums that contain trace amounts of naturally occurring radioactive material onsite. Just waiting for pricing then will be disposed of no later than by (this board's) October meeting. There is no threat to anyone's health or safety. Not yet fully ready to submit the rate application. Inviting the Board to have October's meeting at Clover Flat with weather accommodations to allow for a revisit of the site. Fire Control Plan is being worked on by Summit Engineering. Hope to have a permit this month. Once all is in place then can reopen C&D processing line; however, they have been processing some C&D manually. Have also moved metal and other material. SB1383 will be a 3 billion dollar impact to the state of California. Biggest change ever seen to solid waste. Working with other agencies to line up all requirements.

Member Canning asked when the deadline for having a complete fire control plan was.

Company's Bryce adds Company is in compliance except for an exposed pipe. Deadline was set for middle of November.

Agency Manager Lederer adds that although it is a temporary system, the temporary system is fully compliant and meets code.

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

Ad Hoc committee (including Mary, Margie and Agency Manager Steve) met with outside counsel, Gary Bell with Colantuono, Highsmith & Whatley, PC on July 16th. On Friday (8/16/19) we received initial draft of Mr. Bell's report. Should be ready to present to the whole board by the next Board meeting.

Chair Mohler adds counsel Gary Bell will be at the next meeting and will give a presentation to the board. Which will also be open for public comment.

Agency Manager Lederer adds that the report is for the Board's consideration, it is not obligated to follow the direction of the report.

7. FRANCHISES' BUSINESS ITEMS

A. Franchises' Status

Company's Christy Abreu reported she spent opening day at Yountville Elementary School. Presented a recycling assembly. Also in St. Helena at the last day of Kids Camp at Crane Park. Doing her best to hold down two roles and at this time not helping Amanda as much as before. Looking to bring in someone to do more community outreach.

B. Waste Management Companies' Issues

None

8. OTHER BUSINESS ITEMS

A. Manager’s Report

None

B. Reports from Jurisdictions

- i. Napa County: Timeline for SB 1383 implementation to be considered with other County zones. All should be coordinated.
- ii. Calistoga: Nothing to report
- iii. St. Helena: Nothing to report
- iv. Yountville: Nothing to report

C. Board of Directors Comments

Remove this agenda item.

Chair Mohler requests this agenda item be removed from all future agenda (as these comments fall under future agenda items.)

D. Future Agenda Items

Continue discussion on uses of the excess money in JPA and how jurisdiction use can use money for community projects. The Board welcomed the Company’s offer to conduct the next meeting at Clover Flat, but believes the site will not be conducive to the agenda items that will likely be scheduled that day.

9. ADJOURNMENT

Meeting was adjourned at 3:15 p.m. The next scheduled meeting of the Agency Board of Directors will be held on Monday, October 21, 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