



**MINUTES OF THE DECEMBER 16, 2019
REGULAR MEETING OF THE BOARD OF DIRECTORS**

1. CALL TO ORDER

The Upper Valley Waste Management Agency met in regular session on Monday, December 16, 2019 at 1:30 p.m. at the Yountville Town Council Chambers. Chair Mohler called the meeting to order at 1:32 p.m.

2. ROLL CALL

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

3. PLEDGE OF ALLEGIANCE

Chair Mohler led the Pledge of Allegiance.

4. PUBLIC COMMENT

In this time 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.

Agency Manager Steve Lederer introduced new County Counsel, Thomas Zeleny.

5. CONSENT CALENDAR ITEMS

A. Approval of Minutes

Staff requested approval of the October 21, 2019 regular meeting minutes and the October 29, 2019 special meeting minutes.

B. Annual Financial Audit

Staff requests approval and acceptance of the Authority annual June 30, 2019 financial audit.

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

6. ADMINISTRATIVE ITEMS

A. California Integrated Waste Management Act

No action taken. Amanda Griffis summarized staff report and highlighted some sections on the agenda report. Chair Mohler asks County staff to reach out to Yountville staff to assist in working with Yountville business that are not currently complying with Cal Recycle mandatory recycling requirements (use permit may be the avenue to address this).

Member Canning asks about Calistoga's permanent drop box for med waste drop off location and whether residents know it is at the town Police Station. Amanda believes although residents are aware of this permanent location, the Hazardous Waste events still collect a good amount of med disposal.

Chair Mohler asks about CalRecycle checking on businesses compliance. Sometimes the Use Permit requires businesses to comply. If this is the case, let them know so staff can follow-up and get the businesses attention to get them to comply.

(Let the record reflect Member Dillon has arrive during end of item 6A)

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

Agency Manager Steve Lederer reported the Ad Hoc committee (Chair Mohler and Member Koberstein) met with UVDS/Clover Flat subcommittee (Christy Abreu & Bryce Howard) and himself on December 10, 2019 to discuss recommendations from the Gary Bell report. Agency Manager lead discussion with agenda item background and brief update before Ad Hoc committee and company statements. Company is showing interest in removing the JPA price control of self-haul waste. Company also showing interest in fixing the rate UVDS pays at the landfill and increasing the operating ratio and changing the CPI model used. Agency interested in simplifying the rate model,

per Gary Bell's concept of setting a maximum rate and allow company to keep their rates below that. Even though the company actually likes the current rate model they would like to simplify it in some areas. Company considering getting Clover Flat out from under a franchise agreement. Company would take UVDS customers waste only. There was also discussion of how to do a franchise fee that would throw off revenue to members. Additional notes in the packet. After full discussion staff looking for the board to decide next steps or how to move forward. Consider continuing to work with Gary Bell or another company to draft the first draft of the agreement based on the Gary Bell report and current discussions or does the Board want to do something different.

Possibly separate issue was Chair Mohler's requested to add agenda item to discuss continuing to use county counsel or new counsel (with Jeff Richard's departure).

Ad Hoc Member Koberstein reports good faith proceedings from all parties. Based on Gary Bell's list Company showed interest in making business revisions. Agency may consider extracting agency from Clover Flat, due to lack of enforcement during the last fires. There is a mutual commitment to continue to work diligently.

Chair Mohler adds no final decisions have been made. Discussions have been about bringing JPA up to speed. Company making lots of necessary upgrades and modernizations are all part of why these discussions are taking place and further the consideration of Clover Flat running independently.

Company's Bryce Howard adds that the Company is encouraged by the discussions that have taken place. Company mentioned needed to bring in more money in order to operate CFL efficiently. Company is ok with breach language and specific liquidated damages language. Ultimately requires their Board/owner approval.

Member Dillon motions to direct staff to continue using Gary Bell and authorize staff to negotiate and Chair to sign agreement not to exceed \$50,000.

Member Koberstein second the motion.

Approved Administrative item 6B: DD, MK, MM, CC, AP(B)

C. PUBLIC HEARING: Clover Flat Landfill Rates

Manager Steve Lederer summarized agenda item. Requested action by the board to adopt rate increase for CFL and adopt an increase in the JPA surcharge from \$4.75/ton to \$7.50/ton. Annual rate adjustment of approximately 12.5%. Zero rate increase at UVDS.

Approved Administrative item 6C: CC, MK, MM, DD, AP(B)

7. FRANCHISES' BUSINESS ITEMS

A. Franchises' Status

Company's Christy Abreu reported on UVDS small public meeting for the neighbors surrounding UVDS to discuss processing of food waste at the composting site at Whitehall Lane. Company was required to notify residents within 300 foot of the location during their use permit process. Company hosted the informational meeting where PowerPoint slides were used to discuss the changes to the composting and operations and future dealings with regulation changes. Residents also were interested in having the Company's compost expert present to talk about the controls and operations. Company is set to offer another public outreach to all residents within 1000 feet and wider of the location soon.

Company is hoping that the air permit will be approved for Clover in July and composting will begin to happen on the ground. Currently SB1826 allows for composting commercial food waste. With SB1383 this would allow for collection of all commercial and residential) organics. Hopeful in July to allow for co-collection of organic food waste and green waste in the residential containers but not until the air permit is approved. Cooked table scraps are what is still not permitted.

Bryce reported on Kinkade fire waste to the landfill. Based on the importation agreement, they are allowed to bring in up to 5% of the average tons of out of county waste over the last 3 years. Company received an average of 8,200 tons of fire debris within the last 3 years. Fire debris started coming in with about 500 tons a week, possibly moving up to 1,000 tons a week. If company gets the ok soon, they will see about 15/20 thousand tons total. 150,000 tons was received from the 2017 fires, primarily from the Santa Rosa area. Peter Ex, with the Local

Enforcement Agency, approved a waiver for this fire debris to exceed the 600 ton per day limit, traffic limit, and ability to take in material on Monday. Company has been reporting on debris totals on a monthly basis and will continue to do so.

Company's Lexi Mangola reported she has been working with customers to make sure they are in compliance with SB1383. Have set up a few accounts on the food waste program. Currently working on accounts that produce four to six yards of food waste per week. A non-compliance letter must have been sent out because she has gotten a lot of calls. Feedback and responses from customers have been pretty good.

Member Canning thanked the company for accepting to offer a second public meeting to include residents from the 1000 feet notification list.

B. Waste Management Companies' Issues

Looking forward to working with the Board and Adhoc committee. Newsletter coming soon. Robo calls will be coming to inform customers of holiday schedule. Spring Newsletter to include Shred-it for Yountville.

8. OTHER BUSINESS ITEMS

A. Manager's Report

Chair Mohler asks staff to comment on using funds from fire debris collection. Board did take action on this last meeting and in early January a Notice of Funds Availability will be issued to the three City Managers and the County with a call for projects that will be due April 1st for the first batch of projects. These will be evaluated and presented to the Board for funding approval. Must be a nexus to the Agency's mission. About \$400,000 available. Some parameters will be added for request submittal. Member Dillon asks if a list can be created of what can or cannot be considered an acceptable project. There will not be any allocation limit.

B. Reports from Jurisdictions

- i. Napa County: Nothing to report. Comment made that it would be good to share SB 1383 information with city managers. Agency Manager responded that we could put an information packet together.
- ii. Calistoga: Another successful Tractor Parade, even with a little bit of rain.
- iii. St. Helena: New ice skating event called Jingle all the Way.
- iv. Yountville: Next Shred-It day happening on Earth Day again this year.

C. Future Agenda Items

Chair Mohler asks Company for an update on whether single use plastics are still being forced into the landfill, and if they will be recycled again. Is interested in keeping the public informed.

9. ADJOURNMENT

Meeting was adjourned at 3:02pm. The next regularly scheduled meeting of the Agency Board of Directors is scheduled for Monday, February 10, 2020 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