



**MINUTES OF THE DECEMBER 20, 2021
REGULAR MEETING OF THE BOARD OF DIRECTORS**

ANNOUNCEMENT IN COMPLIANCE WITH THE DIRECTIVES OF THE COUNTY HEALTH OFFICER, CENTERS FOR DISEASE CONTROL AND PREVENTION (CDC), AND THE GOVERNOR'S EXECUTIVE ORDER NO. N-29-20. THIS MEETING WILL BE STREAMED LIVE VIA ZOOM LINKS. THERE WILL NOT BE A PHYSICAL MEETING IN THE BOARD CHAMBER.

You are invited to a Zoom webinar.

When:

December 20, 2021 01:30 PM Pacific Time (US and Canada)

Topic:

Upper Valley Waste Management Agency - June Meeting

Please click the link below to join the webinar:

<https://countyofnapa.zoom.us/j/83300031153>

Or Telephone:

Dial (for higher quality, dial a number based on your current location):

US: +1 669 900 6833

Members of the public are encouraged to participate in the meeting during live streaming or by submitting written comments electronically to the Agency Manager at steven.lederer@countyofnapa.org. This e-mail will be monitored during the meeting. Public comments will be accepted until the Chair closes public comment for each item during the meeting. All comments will be distributed to the Board members and included in the record. Submit Public Comments Via Email: steven.lederer@countyofnapa.org

1. CALL TO ORDER

The Upper Valley Waste Management Agency met in regular session on Monday, December 20, 2021 at 1:30 p.m. via Zoom Teleconferencing Only. Chair Mohler called the meeting to order at 1:35 p.m.

2. ROLL CALL

The following members were present: Chair Mohler, Member Canning, Member Chouteau, Member Dillon, Vice Chair Pedroza.

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.

None

5. CONSENT ITEMS

A. APPROVAL OF MINUTES

REQUESTED ACTION: Approval of the October 19, 2021 special meeting minutes.

B. MEETING DATES - 2022

REQUESTED ACTION: Approval and Adoption by the Board of the proposed meeting schedule for calendar year 2022.

C. ANNUAL FINANCIAL AUDIT

REQUESTED ACTION: Approval and Acceptance of the Authority's annual June 30, 2021 financial audit.

D. REMOTE TELECONFERENCE MEETINGS

REQUESTED ACTION: Executive Director requests approval of Resolution No. 2021-05 making findings and declaring the Board's intent to initiate and continue remote teleconference meetings pursuant to Government Code section 54953(e), based on the Governor's declaration of a state of emergency and local recommendation for continued remote attendance at Brown Act meetings due to the threat of COVID-19.

Approved Consent items 5A, 5B, 5C & 5D: (roll call vote): Move to approve by Member Chouteau, Second by Member Canning: AC-Yes, CC-Yes, MM-Yes, DD-Yes, AP-Yes. Motion passes 5-0.

6. ADMINISTRATIVE ITEMS

A. ELECTIONS

REQUESTED ACTION: Accept nominations and elect officers for Chair and Vice-Chair. These selections will commence in the new calendar year.

Approved item 6A: (roll call vote): Member Canning nominates status quo (Member Mohler as Chair, Member Pedroza as Vice Chair). Second by member Dillon: CC-Yes, DD-Yes, MM-Yes, AC-Yes, AP-Yes. Motion passes 5-0.

B. CALIFORNIA INTERGRATED WASTE MANAGEMENT ACT

DISCUSSION AND POSSIBLE ACTION: Staff to provide an update on status of activities relevant to the Act.

No action taken. Amanda Griffis summarized staff report and highlighted some sections on the agenda report.

C. ADOPTION OF SB 1383 MEMORANDUMS OF UNDERSTANDING (MOU)

DISCUSSION AND REQUESTED ACTION: Agency Manager requests discussion and adoption of MOUs between the Agency and each of its members in support of implementation of SB 1383 (Organics Diversion).

Agency Manager summarized the staff report and noted two public comments were received on this item (the written public comments have been included in the record)

Approved item 6C: (roll call vote): Move to approve by DD, Second by CC DD-Yes, CC-Yes, MM-Yes, AC-Yes, AP-Yes. Motion passes 5-0.

7. FRANCHISES' BUSINESS ITEMS

A. FRANCHISES' STATUS

DISCUSSION AND POSSIBLE ACTION: Manager and Company to provide an update concerning the implementation of franchises' activities.

No action taken. Christy and Bryce both made presentations on the company status.

B. WASTE MANAGEMENT COMPANIES' ISSUES

DISCUSSION ITEM: This is an opportunity for the franchisee(s) to discuss/raise any items of concern they may wish the UVA to consider.

Nothing more to report.

8. OTHER BUSINESS ITEMS

A. MANAGER'S REPORT

DISCUSSION AND POSSIBLE ACTION: Manager to provide an update on the status of current Activities.

No action taken. Agency manager summarized the process for distributing Franchise Fees.

B. REPORTS FROM JURISDICTIONS

DISCUSSION ITEM: Reports by the member jurisdictions of current information relevant to the Agency:

i. Napa County: Nothing to report

ii. Calistoga: Nothing to report

iii. St. Helena: Nothing to report

iv. Yountville: Nothing to report

C. Future Agenda Items

Nothing to report

D. CLOSED SESSION

Conference with Legal Counsel; Existing Litigation (Gov. Code, § 54956.9(d)(1))

The Agency Board finds, based on advice from legal counsel, that discussion in open session will

prejudice the position of the Agency in the litigation. Name of Case: WhataWasteNV.org v. Upper Valley Waste Management Agency et al. Name of Parties: WhataWasteNV.org; Upper Valley Waste Management Agency; Clover Flat Land Fill, Inc.; Vista Corporation; Upper Valley Disposal Service Case No.: Napa County Superior Court Case No.: 21CV001451

Returned from Closed Session. Nothing additional to report.

9. ADJOURNMENT

Meeting was adjourned at 2:54 p.m. The next regularly scheduled meeting of the Agency Board of Directors will be held on Monday, February 14, 2021, at 1:30 p.m. in the Yountville Town Chambers or electronically as noted.

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

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

KEY

Vote: AC = Anna Chouteau; AP = Alfredo Pedroza; CC = Chris Canning; DD = Diane Dillon; 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