



**MINUTES OF THE JUNE 27, 2022**  
**REGULAR MEETING OF THE BOARD OF DIRECTORS**

THIS MEETING OF THE BOARD OF DIRECTORS OF THE UPPER VALLEY WASTE MANAGEMENT AGENCY IS BEING HELD PURSUANT TO GOVERNMENT CODE SECTION 54953(E) ("AB 361") RELATED TO TELECONFERENCING OF MEETINGS. THE GOVERNOR'S PROCLAMATION OF A STATE EMERGENCY IS STILL IN EFFECT AND THE BOARD OF DIRECTORS HAS MADE OR WILL MAKE THE NECESSARY FINDINGS UNDER THE LAW TO HOLD TELECONFERENCE MEETINGS IN THIS MANNER. PROPER NOTICE WAS GIVEN FOR THIS MEETING, ALL PERSONS ARE PERMITTED TO JOIN REMOTELY AND ADDRESS THE BOARD OF DIRECTORS DIRECTLY, AND THE MEETING WILL BE DELAYED IN THE EVENT OF AN AGENCY-CAUSED DISRUPTION. THIS MEETING WILL BE HELD IN ALL RESPECTS ACCORDING TO THE REQUIREMENTS OF GOVERNMENT CODE SECTION 54953(E).

You are invited to a Zoom webinar.  
Topic: Upper Valley Waste Management Agency December Board  
Please click the link below to join the webinar:  
<https://countyofnapa.zoom.us/j/88291417879>  
Or  
Dial by your location  
+1 699 900 6833 US (San Jose)  
Meeting ID: 882 9141 7879

**1. CALL TO ORDER**

The Upper Valley Waste Management Agency met in regular session on Monday, June 27, 2022 at 1:30 p.m. via Zoom Teleconferencing Only. Chair Mohler read the previous statement for the record before calling the meeting to order at 1:30 p.m.

**2. ROLL CALL**

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

**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.*

Mayor Geoff Ellsworth from St. Helena speaking for himself and not on behalf of the City Council or the City of St. Helena. Would like to put some continued concerns on the record.

- a. Meeting agenda link is not available through the UVWMA website, only on the Napa County's website. Would encourage Agency to have available in both locations.
- b. He says he received a phone call from Republic Services regarding Upper Valley Disposal Services (UVDS). Would like clarification on that. RESPONSE: Agency Manager confirmed that the call was from UVDS and does not know why caller ID on Mayor's Ellsworth phone showed otherwise.
- c. Voiced his concerns about his belief of ongoing fire risks at Clover Flat Land Fill and Upper Valley Disposal/White Hall Lane. Clarification requested from Vice-Chair Pedroza. No known fire risks have been reported. Is this consistent with what we have been made aware of? RESPONSE: Agency Manager noted that we received erroneous emails reporting a possible compost fire at UVDS with open flames. Investigation found that not to be true. Company did notify Agency beforehand about planned ceremonial flag burning event with the Boy Scouts on June 14. It was in a controlled burn box. There was some smoke. Fire Department was called and investigated and found no risk. No units were sent. UVDS water trucks were present as a best practice precaution. Fire Chief reported no record of calls for fire this calendar year at UVDS. Only report to Clover Flat was an electrical call out.
- d. Mulch and Compost being processed at these facilities. Is the material coming from in county or out of county? Does testing of these samples include PFAS (polyfluoroalkyl substances (PFAS) concentrations within biosolids composts) testing? (See further in Item 7A below).

**5. CONSENT ITEMS**

**\*Item F pulled for Discussion\***

**A. APPROVAL OF MINUTES**

REQUESTED ACTION: Approval of the April 18, 2022, regular meeting minutes.

**B. REMOTE TELECONFERENCE MEETINGS**

REQUESTED ACTION: Executive Director requests approval of Resolution No. 22-04 making findings and declaring the Board's intent to 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.

**C. APPROVAL OF AMENDMENT 6 TO AGREEMENT WITH NAPA COUNTY**

DISCUSSION AND REQUESTED ACTION: Agency Manager requests authorization to make any non-substantive changes requested by the County, and approval of and authorization for the Chair to sign Amendment No. 6 to Agreement No. 93-02 (Napa County Agreement #3353) with Napa County to update billing rates and the staff positions the County is providing to UVA and to provide flexibility to UVA should the Board wish to modify staffing in the future.

**D. AGREEMENT FOR HOUSEHOLD HAZARDOUS WASTE COLLECTION**

DISCUSSION AND REQUESTED ACTION: Staff recommends Chair sign one-year agreement, with two possible one-year extensions, with Clean Earth Environmental Solutions, Inc. for the collection of household hazardous waste at temporary events and locations requested by the Agency. The compensation to the contractor shall not exceed \$70,000.

**E. AWARD CONTRACT TO CCNB FOR LITTER REMOVAL SERVICES**

DISCUSSION AND REQUESTED ACTION: Agency Manager requests approval of and authorization for the Agency Manager to sign a contract with California Conservation Corps of the North Bay (CCNB) for a term of one year commencing July 1, 2022, with potential for mutually agreeable one-year extensions, for a maximum amount per year of \$95,000, for litter cleanup services.

**F. INSURANCE**

DISCUSSION AND REQUESTED ACTION: Approval and acceptance of the Agency's proposed insurance coverage, if said coverage can be obtained.

**Approved Consent item 5A-E (excluding F): (roll call vote): Move to approve by Member Dillon, Second by Vice Chair Pedroza: DD-Yes, AP-Yes, MM-Yes, AC-Yes, CC-Yes. Motion passes 5-0.**

**\*Item F Discussion\***

Agency's insurance has come up and insurance company will continue to handle existing claim and extend coverage until August 11. So far, they have declined to renew coverage going forward. Agency Manager asks the Board to give him authorization to accept that extension and in between now and then will either solve something with the current insurance company and talk to both the county and perhaps to Yountville about joining the government agency insurance pools that they join and see if there may be a way for UVA to join one of those pools. Agency Manager asks for authorization for the agency manager to spend \$211 to extend our insurance to August 11 and investigate other options for insurance coverage in the meantime. Subsequent to the meeting the Agency Manager successfully obtained insurance coverage with a County directed "pool of governments". More details will be provided at the next scheduled meeting.

Member Canning commented on this item, that filing of frivolous lawsuits has real world consequences that impacts our constituents.

Member Dillon agreed with Member Canning's comment.

Member Chouteau also agrees with Member Canning's comment.

**Approved Consent item 5F: (roll call vote): Move to approve by Member Dillon, Second by Member Chouteau: DD-Yes, AC-Yes, MM-Yes, AP-Yes, CC-Yes. Motion passes 5-0.**

**6. ADMINISTRATIVE ITEMS**

**A. CALIFORNIA INTERGRATED WASTE MANAGEMENT ACT**

DISCUSSION AND POSSIBLE ACTION: Staff to provide an update on the status of activities relevant to the Act.  
Agency's staff, Amanda Griffis, summarized staff report and highlighted some sections on the agenda report.  
No action taken.

**B. PUBLIC HEARING: APPROVAL OF THE 2022/2023 FISCAL YEAR BUDGET**

REQUESTED ACTION: Staff requests approval and adoption of Agency Resolution No. 22-05 adopting the proposed final budget for fiscal year 2022/2023.

Chair Mohler commented that Town of Yountville is preparing to submit their Member Project grant request to create a central location for compost where residents can drop off or pick up some compost for their own use. Member Canning also looking to submit a proposal for security cameras and scanner cards at collection bins site by Firehouse.  
Company' Christy Pestoni thankful composting at Town of Yountville started a set up that she hopes catches on with this Board's help.  
Member Chouteau is happy to hear other's proposals and is looking forward to having her staff submit the City of St. Helena's proposal along with the newly hired City Manager and newly created position for Assistant City Manager.

**Approved Public Hearing item 6B: (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.**

**7. FRANCHISES' BUSINESS ITEMS**

**A. Franchises' Status**

DISCUSSION AND POSSIBLE ACTION: Manager and Company to provide an update concerning the implementation of franchises' activities.  
Christy Pestoni with the Company briefed the Board on various company activities. Added that the Company's Compost is certified organic since the 1990's. No action taken.

**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.

**8. OTHER BUSINESS ITEMS**

**A. Manager's Report**

DISCUSSION AND POSSIBLE ACTION: Manager to provide an update on the status of current activities and obtain Board direction on a process for use of available surplus funds.  
Manager Steve Lederer summarized staff report and discussed the Extraordinary Rate Increase process. The Company has submitted for an Extraordinary Rate Increase (5% on top of the 11% they are entitled to. This will return to the Board for their consideration in August or September. (Subsequent to the meeting the Company withdrew this request and as such no further Board action is required).  
The Board would like future discussions on whether we should go to mandatory service, how we charge for service (do we continue to charge primarily based only on the size of garbage service), and whether commercial accounts should have a minimum charge. These discussions would occur as part of setting the new baseline at the conclusion of the current 3-year rate cycle (we are just starting year two). Chair Mohler commented on the success of Town of Yountville Mandatory garbage service requirement.

**B. Reports from Jurisdictions**

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

- i. Napa County: Rich Luthy, who has been the Director of the Napa Vallejo Waste Management Agency for last 5-7 years is retiring. The recruitment for a new Executive Director will follow. Thus, there will be a new leader for the Devlin Road Transfer Station coming soon.
- ii. Calistoga: Nothing to report.
- iii. St. Helena: Nothing to report.
- iv. Yountville: There is a new California plastics packaging law coming in the future.

**C. Future Agenda Items**

DISCUSSION ITEM: Discussion of any items Board members wish to have addressed at a future meeting date.

Items previously mentioned at this meeting.

**9. ADJOURNMENT**

Meeting was adjourned at 2:20p.m. The next regularly scheduled meeting of the Agency Board of Directors will be held on Monday, August 15, 2022, at 1:30p.m. in the Yountville Town Chambers or 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