



JOHN ALLARD, ROSEVILLE, CHAIR
BONNIE GORE, PLACER COUNTY
BILL HALLDIN, ROCKLIN
DAN KARLESKINT, LINCOLN
ROBERT WEYGANDT, PLACER COUNTY
KEN GREHM, EXECUTIVE DIRECTOR

MEETING OF THE BOARD OF DIRECTORS

AGENDA

September 17, 2019 6:00 PM

Materials Recovery Facility Administration Building
3013 Fiddymont Road, Roseville, CA 95747

Materials related to an item on this Agenda submitted to the Board of Directors after distribution of the agenda packet are available for public inspection at the Clerk of the Board, 3013 Fiddymont Road, Roseville, CA 95747, during normal business hours and at the meeting location immediately before and during the meeting. The Western Placer Waste Management Authority is committed to ensuring that persons with disabilities are provided the resources to participate fully in its public meetings. If you are hearing impaired, we have listening devices available. If you require additional disability-related modifications or accommodations, including auxiliary aids or services, please contact the Clerk of the Board at (916) 543-3960. If requested, the agenda shall be provided in appropriate alternative formats to persons with disabilities. All requests must be in writing and must be received by the Clerk five business days prior to the scheduled meeting for which you are requesting accommodation. Requests received after such time will be accommodated if time permits.

1. Call Meeting to Order
2. Pledge of Allegiance (Director Halldin)
3. Roll Call
4. Statement of Meeting Procedures (Clerk of the Board)
5. Agenda Approval
6. Public Comment

This is a time when persons may address the Board regarding items not on this Agenda. It is requested that comments be brief, since the Board is not permitted to take any action on items addressed under Public Comment.

7. Announcements & Information
 - a. Reports from Directors ----
 - b. Report from the Executive Director (Ken Grehm) ----
 - c. Monthly Tonnage Reports (Eric Oddo) ----
 - d. Community Meeting to Discuss Odors (Eric Oddo) Pg. 3
8. Consent Agenda
 - a. Minutes of the Board Meeting held August 8, 2019 Pg. 5
Approve as submitted.
 - b. Non-Disclosure Agreement with Nortech Waste LLC (Eric Oddo) Pg. 9
Approve a Non-Disclosure Agreement with Nortech Waste, LLC related to potential future operation of the Materials Recovery Facility and authorize the Executive Director to execute the NDA, and further authorize individual directors, alternates and identified WPWMA representatives to acknowledge the NDA as called for in the agreement.

9. Closed Session

Anticipated Litigation:

- a. Initiation of litigation pursuant to subdivision (d)(4) of Government Code §54956.9: two potential cases.

10. Upcoming Agenda Items

Identification of any items the Board would like staff to address at a future meeting.

11. Adjournment

**MEMORANDUM
WESTERN PLACER WASTE MANAGEMENT AUTHORITY**

TO: **WPWMA BOARD OF DIRECTORS** DATE: **SEPTEMBER 17, 2019**
FROM: **KEN GREHM / STEPHANIE ULMER** *SM*
SUBJECT: **COMMUNITY MEETING TO DISCUSS ODORS**

RECOMMENDED ACTION:

None. This item is for informational purposes only.

BACKGROUND:

Over the past eight years, the WPWMA has conducted community meetings to continue fostering dialogue with the public and other interested parties regarding the WPWMA's operations and its ongoing efforts to better identify and reduce facility odors.

The meetings are intended to provide an overview of the WPWMA's operations; onsite and regional odor sources; and current and planned odor reduction practices, efforts, and projects, including the Waste Action Plan. They also serve to reiterate that while facility odors are a natural byproduct of the breakdown of organic materials and will never be eliminated, the WPWMA continues to strive to reduce them as much as possible, and that feedback from neighboring residents is a vital part of those efforts.

The WPWMA utilizes a variety of media channels to maximize the number of people informed about the event. This year's meeting will be advertised via the following avenues: press release; Gold Country Media print and online ads; WPWMA website; direct email to online odor notification form users; NextDoor.com; local neighborhood association newsletters and the One Big Bin Facebook page.

This year's meeting will be held Monday, October 28th at 6 PM in the WPWMA's Board Chambers.

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WESTERN PLACER WASTE MANAGEMENT AUTHORITY

Minutes of August 8, 2019

The meeting of the Western Placer Waste Management Authority Board of Directors was called to order at 5:00 PM by Chairman Allard in the WPWMA Administration Building at the Materials Recovery Facility.

Directors Present:

John Allard
Bonnie Gore
Bill Halldin
Dan Karleskint
Robert Weygandt

Staff Present:

Ken Grehm Robert Sandman
Kevin Bell Heather Wilden
Eric Oddo
Keith Schmidt
Becky Correa

1. Call Meeting to Order: Chairman Allard called the meeting to order at 5:00 PM.
2. Pledge of Allegiance: Director Halldin led the Pledge of Allegiance.
3. Roll Call: All Directors were present.
4. Statement of Meeting Procedures: Heather Wilden read the Statement of Meeting Procedures into the record.
5. Agenda Approval: There were no changes to the agenda.

MOTION TO APPROVE:

Karleskint/Halldin

Vote: Unanimous

6. Public Comment: None.
7. Announcements & Information:
 - a. Reports from Directors: There were no reports from the Directors.
 - b. Reports from the Executive Director: Ken Grehm reported that staff had reached conceptual agreement on a non-disclosure agreement with Nortech and that staff would return at the next meeting for final approval of the agreement. Ken also reported that, after issuing a request for proposals to perform a labor study, the WPWMA received one proposal and that, pending review and evaluation of the proposal, staff would return at a subsequent meeting for consideration of an agreement. Kevin Bell informed the Board that CalRecycle had recently issued a draft environmental impact report for the proposed SB 1383 regulations and that staff will be reviewing and working with counsel to comment on the draft document. There were no questions from the Board.
 - c. Financial Reports: Becky Correa summarized the report. Director Halldin requested future reports be annotated to provide an explanation of significant variances between budgeted and actual revenues and expenses.

- d. Monthly Tonnage Reports: Keith Schmidt summarized the report. There were no questions from the Board.
- e. Quarterly MRF Operator's Report: Brian Jones of Nortech Waste summarized the report and answered questions from the Board.
- f. Quarterly Landfill Operator's Report: Paul Szura of Nortech Landfill summarized the report. There were no questions from the Board.
- g. Creditable Recovery Achieved & Incentive Payments Earned by Nortech Waste in FY 2018/19: Keith Schmidt summarized the report. There were no questions from the Board.
- h. FY 2018/19 Recyclable Revenue Sharing: Keith Schmidt summarized the report and answered questions from the Board.
- i. FY 2018/19 Energy 2001 Royalty Analysis: Eric Oddo summarized the report and answered questions from the Board.
- j. Renewable Placer: Waste Action Plan Update: Eric Oddo summarized the report and answered questions from the Board.

8. Consent Agenda:

The Board pulled item 8c from the Consent Agenda to allow a member of the public to speak to the item.

- a. Minutes of the Board Meeting held July 11, 2019:
Staff recommended approving the minutes as submitted.
- b. Project 1058 – Module 2 and 10 Leachate Sump Riser Construction
Staff recommended the Board:
 - 1. Approve the plans and specifications and authorize staff to solicit bids for Construction Project 1058 – Module 2 and 10 Leachate Sump Riser Construction.
 - 2. Authorize the Executive Director or designee to execute the resulting contract in amount not to exceed \$73,386 with the lowest responsive bidder and approve any required change orders consistent with Section 201472 of the Public Contract Code in an amount not to exceed 10% of the value of the contract.

MOTION TO APPROVE CONSENT AGENDA:

GORE/KARLESKINT

Vote: Unanimous

- c. Second Amendment to the Lease Agreement with AMOS:
Staff recommended the Board authorize the Chair to sign the Second Amendment to the Lease Agreement with the Associated Modelers of Sacramento extending the term of their lease for an additional five years.

John Sorenson, president of AMOS, thanked the Board for their consideration of the proposed amendment and highlighted the value to the community of their club.

**MOTION TO APPROVE ITEM 8c:
Weygandt/Halldin
Vote: Unanimous**

9. Action Items:

a. WPWMA Temporary Sludge Acceptance Policy:

Staff recommended adopting Policy 19-03 associated with the temporary acceptance criteria for sludge.

Keith Schmidt summarized the report and answered questions from the Board.

**MOTION TO APPROVE:
Halldin/Weygandt
Vote: Unanimous**

b. Project 2467 – Module 5 / Module 13 Separation Liner:

Staff recommended authorizing the Executive Director or designee to:
1) execute and award Construction Project 2467 – Module 5 / Module 13 Separation Liner in the amount of \$1,774,418 with Innovative Construction Solutions of Costa Mesa, California, and 2) approve any required change orders consistent with Section 20142 of the Public Contract Code in an amount not to exceed 10% of the value of the contract.

Keith Schmidt summarized the report and answered questions from the Board. Keith also noted that the WPWMA had received an email from the second ranked bidder suggesting that they may elect to file a bid protest but that no formal bid protest had yet been received. Keith highlighted the importance of constructing the project this season and that delay of award would most likely result in delay of construction until the following year.

Kevin Bell summarized the conversation between WPWMA and the Placer County Purchasing Manager noting that the Purchasing Manager, consistent with the County's and WPWMA's bid protest procedures, concurred that it is in the substantial interest of the WPWMA to proceed with award of the contract.

**MOTION TO APPROVE:
Halldin/Weygandt**

WPWMA Counsel requested a roll call vote.

Allard:	YES	Karleskint	YES
Gore	YES	Weygandt	YES
Halldin	YES		

10. Closed Session:

Anticipated Litigation:

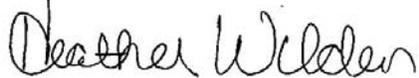
- a. Initiation of litigation pursuant to subdivision (d)(4) of Government Code §54956.9: one potential case.

WPWMA Counsel reported out of closed session noting that the Board heard one case pursuant to 10a and provided direction to Counsel.

11. Upcoming Agenda Items: None.

12. Adjournment: Meeting was adjourned at 6:35 PM.

Respectfully Submitted,



Heather Wilden, Clerk of the Board
Western Placer Waste Management Authority

**MEMORANDUM
WESTERN PLACER WASTE MANAGEMENT AUTHORITY**

TO: **WPWMA BOARD OF DIRECTORS** DATE: **SEPTEMBER 17, 2019**
FROM: **KEN GREHM / ERIC ODDO** 
SUBJECT: **NON-DISCLOSURE AGREEMENT WITH NORTECH WASTE, LLC**

RECOMMENDED ACTION:

Approve a Non-Disclosure Agreement (NDA) with Nortech Waste, LLC (Nortech) related to potential future operation of the Materials Recovery Facility (MRF) and authorize the Executive Director to execute the NDA, and further authorize individual directors, alternates and identified WPWMA representatives to acknowledge the NDA as called for in the agreement.

BACKGROUND:

Over the past two years, Nortech and WPWMA staff have discussed options for addressing current MRF operational issues identified by the parties – resulting primarily from changes in regulations and MRF equipment performance and replacement availability concerns – that could potentially be resolved through an upgrade and modification to the facility.

In June 2017, Nortech requested the opportunity to prepare and present a conceptual facility upgrade plan to WPWMA as part of discussions for a potential extension to operate the MRF and Landfill. Staff held preliminary discussions with Nortech in response to that request. In August 2018 Nortech provided a summary of key elements of its conceptual design. Your Board subsequently authorized staff to enter into negotiations with Nortech to establish deal points for a potential extension to the MRF and Landfill operating agreements.

Following this authorization by your Board, Nortech requested that WPWMA enter into an NDA to provide certain protections to both parties as they discuss potentially proprietary and confidential information related to Nortech's operation of the MRF.

Since that time, Nortech and WPWMA staff, and their respective legal counsels, have worked to draft a suitable NDA that provides adequate protection of Nortech's proprietary and confidential information while maintaining WPWMA's ability to conduct a competitive procurement process for future MRF and Landfill operations should your Board elect to do so. The proposed NDA reflects the efforts of both parties to provide a workable document that adequately protects Nortech while providing WPWMA the flexibility to analyze Nortech's conceptual design and develop deal points related to a potential new MRF operations agreement for your Board's consideration.

As drafted, the NDA would limit access to confidential Nortech documents to the following WPWMA representatives: 1) your Board inclusive of designated alternate directors, 2) the current Executive Director, 3) the current Deputy Executive Director, 4) the current WPWMA Program Manager, and 5) WPWMA counsel. As a result, each of these individuals would be required to acknowledge the approved NDA prior to

receiving access to Nortech's confidential documents.

If approved, the proposed NDA will remain in effect until the earlier of: 1) the day after the date your Board approves a new, extended MRF operating agreement with Nortech, or 2) the day after the date your Board issues a Notice of Intent to award a new MRF operating agreement following a competitive procurement process, including resolution of any protests or appeals by a third party.

ENVIRONMENTAL CLEARANCE:

Entering into an NDA with Nortech is exempt under Section 15061(b)(3) of the CEQA Guidelines. Staff has determined that the recommended action would not have a significant effect on the environment and is therefore not subject to CEQA.

FISCAL IMPACT:

There is no fiscal impact associated with the recommended action.

ON FILE WITH CLERK: NON-DISCLOSURE AGREEMENT