

WEST VALLEY SOLID WASTE MANAGEMENT AUTHORITY

Executive Director

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Member Agencies

City of Campbell
Town of Los Gatos
City of Monte Sereno
City of Saratoga

MEETING AGENDA

October 15, 2012

Monte Sereno City Hall
18041 Saratoga-Los Gatos Road
Monte Sereno, CA 95030

1:00 p.m.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

ORAL COMMUNICATIONS FROM THE PUBLIC

WRITTEN COMMUNICATIONS

None.

OLD BUSINESS

None.

NEW BUSINESS

1. Receive and file a report on the Member Agencies' 2011 CalRecycle Annual Reports
2. Receive and discuss HF&H Consultants' presentation on the results of its Performance Review of West Valley Collection and Recycling, LLC.
3. Discuss the option to extend West Valley Collection & Recycling, LLC's contract or issue a request for proposals for collection services effective March 1, 2014.
4. Discuss and appoint members to a Procurement Ad-Hoc Committee related to a request for proposal process.

5. Discuss and adopt Resolution 2012-04 Code of Conduct for Procurement Process.
6. Discuss Member Agency and public outreach process related to the future collection agreement and services.
7. Schedule the annual Authority Attorney and Executive Director performance reviews.

PUBLIC HEARINGS

None

CONSENT CALENDAR

8. Approve Minutes of the May 3, 2012 Board Meeting
9. Executive Director report
 - i. YTD Financial Report

BOARD MEMBER REPORTS

ADJOURNMENT

Next Regular Meeting: November 1, 2012, 5:00 p.m.

ADDRESSING THE BOARD

Any person shall have the right to address the Board during consideration of any item on the Board's agenda or during the time for oral communication if not on the agenda but pertaining to subject matter within the jurisdiction of the Board. Any person wishing to address the Board should stand or raise the hand and wait to be recognized by the Chairperson. Please stand at the podium, if able, state your name and address for the record, and proceed to address the Board. All remarks and questions should be addressed to the Board through the Chairperson and not to any member thereof or to the public. No question should be asked a Board member or a member of Authority staff without first obtaining permission of the Chairperson.

AGENDA ITEM NO. 1

MEETING DATE: OCTOBER 15, 2012

**WEST VALLEY
SOLID WASTE MANAGEMENT
AUTHORITY**

AGENDA REPORT

Date: October 15, 2012

To: West Valley Solid Waste Management Authority Board

From: Executive Director

Subject: **2011 CalRecycle Annual Reports**

RECOMMENDED ACTION

Receive and file a report on the Member Agencies' 2011 CalRecycle Annual Reports.

DISCUSSION

Background

Title 14, California Code of Regulations Section 18794 requires that each jurisdiction submit a report by August 1 of each year that discusses the jurisdiction's progress in implementing the programs described in its waste planning documents, which include the Source Reduction and Recycling Element (SRRE) and the Household Hazardous Waste Element (HWWE). The State passed and implemented AB 341 in 2012. AB 341 requires all commercial businesses that generate four or more cubic yards of trash or more and all multi-family dwellings with five or more units to subscribe to recycling service. It also requires all cities and counties to divert a minimum of 75% of the waste generated by 2020.

Discussion

Table 1 summarizes the reported diversion rates for each agency for the five-year period 2002-2006.

Table 1:
CIWMB 2002-2006 Annual Reports

Diversion %					
Member Agency	2002	2003	2004	2005	2006
Campbell	41%	42%	49%*	46%*	51%*
Los Gatos	52%	53%	56%	58%	65%
Monte Sereno	75%	81%	78%	74%	76%
Saratoga	62%	62%	67%	66%	68%

*Campbell's rate is based on a new base year study prepared for 2004.

Effective with the 2007 Annual Report, CalRecycle changed the methodology used to calculate compliance with the 50% diversion requirement. Under the new methodology, a per capita waste disposal target amount is calculated and compared to the actual per capita waste disposed. As long as the actual per capita amount is less than the targeted per capita disposal amount, the agency is considered in compliance. Table 2 shows the target and actual disposed amounts for each Member Agency under the new methodology for 2007-2010, demonstrating that each Agency met the diversion requirement for all years.

Table 2:
CIWMB 2007-2010 Annual Reports (lbs/person/day)

Member Agency	Disposal Per-Capita Target	Disposal Per-Capita 2007 Actual	Disposal Per-Capita 2008 Actual	Disposal Per-Capita 2009 Actual	Disposal Per-Capita 2010 Actual	Disposal Per-Capita 2011 Actual
Campbell	5.2	4.7	4.4	3.8	3.9	3.8
Los Gatos	6.0	4.1	3.9	3.3	3.6	3.7
Monte Sereno	3.9	1.4	1.4	1.2	1.1	1.5
Saratoga	4.2	2.7	2.9	2.5	2.8	2.8

All four Member Agency's actual per-capita disposal amounts continue to exceed the target diversion goals. In 2011, Los Gatos and Monte Sereno had a slight increase in the per-capita disposal, Saratoga's disposal per-capita stayed the same, and Campbell's disposal returned to its 2009 disposal. Note also that the WVC&R service began in March 2007, so these results reflect the new recycling services, including the commingled residential recyclables collection, the new yard waste program, and the new commercial recycling program.

DOCUMENTS ATTACHED

None.

FISCAL IMPACT

None.



Robert D. Hilton
Executive Director

AGENDA ITEM NO. 2

MEETING DATE: OCTOBER 15, 2012

**WEST VALLEY
SOLID WASTE MANAGEMENT
AUTHORITY**

AGENDA REPORT

Date: October 15, 2012

To: West Valley Solid Waste Management Authority Board

From: Executive Director

Subject: **Performance Review of West Valley Collection & Recycling, LLC**

RECOMMENDED ACTION

Receive and file a report on the findings from the performance review of West Valley Collection & Recycling, LLC (WVC&R).

DISCUSSION

Background

The Board directed the Executive Director to facilitate a performance review of WVC&R. The purpose of the performance review was to: 1) objectively assess the quality, effectiveness and economy of the services being provided by WVC&R; and, 2) identify changes to achieve and maintain an advanced and compliant solid waste system.

Discussion

Peter Deibler, of HF&H Consultants, will present the findings from the performance review.

Key conclusions of the performance review include: 1) there are no immediate performance issues or concerns; 2) the company is operating relatively cost effectively; 3) diversion levels are within the range of Santa Clara County cities; 4) customer service

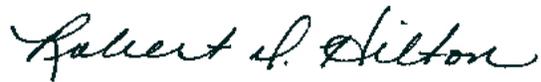
is provided at a good level of quality; and, 5) significant program changes that involve significant cost or changes in collection services will require a longer term.

DOCUMENTS ATTACHED

Performance Review Presentation

FISCAL IMPACT

None.



Robert D. Hilton
Executive Director



West Valley Collection and Recycling Performance Review

West Valley Solid
Waste Management Authority
October 15, 2012



Purpose, Scope and Benefits

- **Purpose:**
 - Assess quality, effectiveness and economy of service
- **Scope:**
 - Review cost-effectiveness and operational efficiency
 - Review quality of customer service
 - Review effectiveness of outreach/technical assistance
 - Identify any new/modified services enhancements
- **Benefits:**
 - Correct current problems
 - Identify new and/or modified services and contract enhancements for the next agreement



Context for the Review

- WVC&R had problems during the transition
- WCV&R's performance to-date has been reliable
- Neither anticipated nor found significant immediate problems
- Conducted a cost-effective and timely review



Rights and Obligations

- Section 9.1 Performance Review
 - Authority's discretion
 - Review of changes to achieve and maintain an advanced system
 - Ensure adequate, cost-effective, high services
 - Receive recommendations on changes or new services



Summary

- No immediate issues
- Relatively cost effective
- Diversion within range of Santa Clara Co. cities
- Customer service:
 - Phone system and staffing adequate
 - Good quality of service
 - Some service changes appear delayed
 - Website accessible and useful
- Significant program changes require a longer term



Comparative Performance Issues

- **Cost:**
Total cost per customer
- **Productivity:**
Accounts/route day
- **Diversion:**
AB 341 mandatory recycling compliance



Comparative Performance: Relative Cost

Low Monthly Cost per Customer

WVC&R's average costs per home and business are better than those for most other Bay Area collectors.

Residential

\$33.63

\$31.15

\$29.82

\$28.00

\$18.24

Quartile
4 th
3 rd
2 nd
1 st

Commercial

\$165.25

\$116.02

\$102.01

\$79.50

\$73.11



Comparative Performance: Operational Efficiency

High Route Productivity

WVC&R's residential and commercial productivity is better than for most other Bay Area collectors.

<u>Residential Accounts</u>	Quartile	<u>Commercial Accounts</u>
1126		160
800	4 th	123
651	3 rd	87
547	2 nd	65
209	1 st	45



Comparative Performance: Diversion Effectiveness

	50% Disposal Reduction Goal (ppd)	75% Disposal Reduction Goal (ppd)	Actual Disposed 2011 (ppd)	Reduction Required to Reach 75% Goal (ppd)	Diversion Percentage
Palo Alto	8.2	4.1	3.3	(0.8)	79.9%
Los Altos Hills	3.4	1.7	1.6	(0.1)	76.5%
Mountain View	7.8	3.9	3.8	(0.1)	75.6%
Los Gatos	6.0	3.0	3.6	0.6	70.0%
San Jose	5.2	2.6	3.3	0.7	68.3%
Sunnyvale	5.0	2.5	3.3	0.8	67.0%
Gilroy	6.2	3.1	4.1	1.0	66.9%
Saratoga	4.2	2.1	2.8	0.7	66.7%
Cupertino	4.3	2.2	2.9	0.8	66.3%
Milpitas	6.3	3.2	4.4	1.3	65.1%
Los Altos	4.4	2.2	3.1	1.0	64.8%
Santa Clara	8.2	4.1	5.8	1.7	64.6%
Campbell	5.2	2.6	3.9	1.3	62.5%
Monte Sereno	5.2	2.6	3.9	1.3	62.5%
Morgan Hill	6.1	3.1	5.3	2.3	56.6%
Unincorporated	4.0	2.0	4.4	2.4	45.0%
Average					66.1%



Comparative Performance: Diversion Effectiveness

- In general, West Valley cities fall within range of other Santa Clara County cities
- Currently, we are 5% - 12% short of achieving 75% diversion



Comparative Performance: Diversion Effectiveness

AB 341 - How is WVC&R doing?

- Commercial:
 - Required to have recycling service on July 1st, if have 4 cubic yards or more of solid waste service.
 - WVC&R reports 97% of covered businesses have service.
- Multifamily:
 - Required to have recycling service on July 1st, if 5 units or more.
 - WVC&R's reports 95% of covered complexes have service.



Customer Service Issues

- Phone system – call center responsiveness
- Quality of interaction with customers
- Timeliness of issue/request resolution



Customer Service: Phone System

- There were initial phone system capacity issues.
- 56% of calls answered within 30 seconds and an average “hold” time of 64 seconds.
- Average of 62 calls/day/CSR is reasonable.

Conclusion: Phone system and staffing appear sufficient.



Customer Service: Customer Interaction

- WVC&R was ranked by “Tooty”:
 - 3rd highest of 17 affiliates for 4th Q 2011
 - 1st highest of 12 affiliates for 1st Q 2012.
 - WVC&R’s average scores (by CSR) were over 90% for both quarters.

Conclusion:

Relatively high quality of customer interaction.



Customer Service: Request/Complaint Resolution

- We sampled WVC&R responses to 24 randomly selected customer calls.
- There were 2.2 million “opportunities” for missed pickups from October 2011-March 2012. During that period, WVC&R received 848 calls regarding missed pickups, or 0.04% of total opportunities. Industry standard is 0.5%.
- Of the 12 service change requests, 3 requests took relatively long to address.

Conclusions:

1. Missed pick-up rate is better than the industry standard by a factor of 10.
2. While 3 service requests were resolved slowly, the result does not necessarily indicate a problem.



Outreach and Education Issues and Findings

- The range and number of materials exceeds minimum contract requirements.
- WVC&R program is comprehensive, with targeted materials.
- Relatively high quality materials that are simple, clear, and visually appealing.
- The website is generally easy to navigate; key information is accessible.

Conclusion:

Communication of information to the public is of high quality.



New Proposed Programs

Program	Target Sector	Collection, Processing	Facility	Diversion Increases	Cost
HHW: collect batteries, CFL bulbs; sharps mail back	residential	collection and processing	n/a	n/a	Not provided.
CNG fleet	All	collection and processing	Fuel from ZWED	n/a	About \$375k per vehicle.
Add food scraps to yard trimmings, compost	residential	collection and processing	Z-Best	residential - 3% system - 2%	Not provided.
MSW processing, composting	residential and/or commercial	processing only	Charles St, Z-Best	residential – 20%, system 12% commercial - 48%, system 20%	residential - net \$1.0 M/yr commercial - net \$1.9 M/yr
MSW processing, anaerobic digestion	residential and/or commercial	processing only	Charles St, ZWED	residential - 20%, system 12% commercial - 48%, system 20%	residential - net \$1.0 M/yr commercial - net \$1.9 M/yr



New Proposed Programs, Cont'd

Program	Target Sector	Collection, Processing	Facility	Diversion Increases	Cost
Wet/dry collection, processing, organics composting	commercial	collection and processing	Charles St, Z-Best	system - 14%	Not provided.
Wet/dry collection, processing, anaerobic digestion	commercial	collection and processing	Charles St, ZWED	system - 14%	Not provided.



Assessment of Proposed New Programs

- Some or all suggested HHW materials could be added near term (batteries, CFL's, sharps mail back)
- Longer term opportunities include:
 - CNG fleet
 - Organics
 - MSW
 - Anaerobic digestion
 - Wet/dry collection for commercial
- Diversion estimates and costs either provided at very general level, or not provided.

HF&H Suggestions

- Consider HHW improvements
- Enter discussions with WM regarding disposal and organics
- Incorporate new programs into new agreement



Issues for Next Agreement

Based solely on the results of the Review:

- More specifics for phone system capability
- More specifics for customer service response times
- Time requirements for container delivery
- Annual review of outreach program
- Focus on organics stream to achieve higher diversion
- Evaluate alternative post-collection services for commercial and multi-family streams



WVC&R's Other Reported Accomplishments

Free Service: 127 civic events from 2007 through 2011.

Safety: Low incident rates for worker injury and property damage.

Staffing:

- High staff retention rate.
- Voluntary use of “Tooty” to provide independent customer service monitoring.
- 92% scores for staff evaluation of managers.

Vehicles: Preventive maintenance exceeds regulations.

Facilities:

- No “notices of violation” at WVC&R facilities.
- “Top Shop” award for 2011; 98% rating for shop maintenance.



Conclusions – WVC&R's Performance

- No immediate issues
- Relatively cost effective
- Diversion within range of Santa Clara Co. cities
- Customer Service:
 - Phone system and staffing adequate
 - Good quality of service
 - Some service changes appear delayed
 - Website accessible and useful
- Significant program changes require a longer term



WEST VALLEY
SOLID WASTE MANAGEMENT
AUTHORITY

AGENDA REPORT

Date: October 15, 2012
To: West Valley Solid Waste Management Authority Board
From: Executive Director
Subject: **Competitive Proposal Process**

RECOMMENDED ACTION

Direct the Executive Director to commence a competitive process for selecting a contractor at the end of the current franchise term. Such process shall include:

- Contracting for programs that may be necessary in order for the Authority to comply with current and reasonably anticipated diversion requirements;
- Balancing the cost effectiveness of additional new programs to address higher levels of diversion and customer convenience with their impact on rates;
- Identifying and incorporating modifications to the existing contract terms to bring them current;
- Conducting a transparent, objective, and competitive process for selecting a company to provide services under a new agreement; and,
- Exercising the Authority's option to extend the current agreement with WVC&R to allow sufficient time for comments from the public and the Member Agency's Councils.

DISCUSSION

The initial term of the solid waste collection and processing contract with West Valley Collection and Recycling will expire February 28, 2014. No later than September 28, 2013, the Board must decide whether to extend the existing agreement up to 36 months or issue a request for proposals (RFP) and select a contractor from among those proposals.

The Board's goals for the next contract include:

1. Procuring services which will allow the Authority to continue to meet current diversion requirements and anticipate future State standards.
2. Balancing the Authority's achievement of higher-than-required diversion levels (by maximizing the benefits from existing programs as well as new approaches and technology) with their impact on customer rates.

To prepare itself to decide on whether to extend the existing agreement, negotiate a new agreement with WVC&R, or conduct a competitive selection process, the Board conducted a workshop on June 18, 2012. While no action was taken, a consensus was expressed that the Authority should conduct a competitive contractor selection process.

The reasons for this direction are:

1. The revenues received by the selected contractor under the exclusive franchise agreement are approximately \$22 million annually and, over the probable term of the next agreement, will equal more than \$200 million and should therefore be subject to a competitive process to ensure that services are being provided cost effectively.
2. The nature of this service is that having multiple companies compete for the service is uneconomic and would have significant deleterious environmental effects from traffic and emissions. Therefore, individual residents and businesses may not seek competitive proposals for this service and the only opportunity for such competition is at the end of the contract term.
3. A competitive process allows for the objective selection of a contractor based on the creativeness and cost effectiveness of its approach to providing service, allowing the Authority to balance programs that meet or exceed state requirements against their rate impact.
4. There is adequate time to conduct a competitive process and, if necessary, the Authority has the right (up to September 28, 2013) to extend the agreement for up to 36 months to allow for unanticipated delays in the selection process.
5. WVC&R is encouraged to compete and, as the incumbent, has particular insight into current conditions and the needs of the Authority, its Member Agencies and their residents and businesses; which should be advantageous.

ALTERNATIVES

Do not conduct the competitive procurement and, either:

1. Extend the existing agreement with WVC&R (one or more times) up to 36 months. This alternative would continue existing services (with perhaps some minor service enhancements (collection of batteries and CFL's) and rates adjustments (unless otherwise agreed to) would be limited to indexed changes.

It would allow additional time to: 1) assess regulatory changes related to AB 341 (mandatory multifamily and commercial recycling and 75% diversion goal); 2) make changes in the Waste Disposal, Yard Waste and Construction and Demolition Debris Processing Agreement (to provide for organics composting); and, 3) assess the implementation of regional services and facilities (e.g., ZWED's dry anaerobic technology and Allied's "One Truck Plus" (wet/dry) program, that might be worthy of consideration in the Authority's future agreement.

2. Enter into sole source negotiations with WVC&R for a new contract. This new contract could be of any duration but such duration might relate to the useful life of equipment (5-10 years) required by new programs (e.g., processing and composting of municipal solid waste from multifamily and commercial customers) or approaches (alternative fuel vehicles). Using industry benchmarks, it is possible to negotiate sole source contracts and determine the reasonableness of the resulting rates. However, without competing proposals, it is not possible to assess whether others might have had more cost effective approaches to providing the services.

DOCUMENTS ATTACHED

Detailed Scope of Work
Schedule

FISCAL IMPACT

The budget to perform the Competitive Procurement is \$140,000 for the Executive Director and \$10,000 for the Authority Counsel and has been provided for in the 2012-13 (\$112, 000 for Executive Director +\$8,000 for Authority Counsel) and 2013-2014 (\$28, 000 for Executive Director +\$2,000 for Authority Counsel). These expenses will be reimbursed by the selected contractor.



Robert D. Hilton
Executive Director

WVSWMA
Competitive Procurement Schedule

Activity	Mos.	2012				2013												2014	
		Sept	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb
Define Future Programs	1	■	■																
Prepare RFP and Agreement	2	■	■	●															
Manage Pre- Proposal Process	2			■	■	■													
Evaluate Proposals/Select Contractor	1					■	■	●											
Negotiate Contract	1							■	■	■	●								
Monitor Implementation	5.5									■	■	■	■	■	■	■	■	■	■
 Board meetings																			
 March 1, 2014 commencement date																			

This schedule would be affected by the Board's direction regarding Member Agency and public outreach or may be affected by a delay.

WEST VALLEY
SOLID WASTE MANAGEMENT
AUTHORITY

AGENDA REPORT

Date: October 15, 2012
To: West Valley Solid Waste Management Authority Board
From: Executive Director
Subject: **Procurement Ad Hoc Committee**

RECOMMENDED ACTION

Create an Ad Hoc Committee of two members to assist in the: development of a new collection franchise agreement; request for proposal; and/or, negotiations

DISCUSSION

The initial term of the solid waste collection and processing contract with WVC&R will expire on February 28, 2014. The Board must decide whether to issue a request for proposals (RFP); extend the existing agreement up to 36 months; or, negotiate a new contract.

The Ad Hoc committee can serve as an advisory board to the staff (between Board meetings) and Board with the following duties:

- Act as a "sounding board" to hear staff reports and presentations in advance of them being made to the full Board and provide guidance on how best to frame the issues and present the information to the Board;
- Provide guidance to staff during negotiations; and,
- Provide recommendations to the Board on key policy issues.

Because the Board does not meet monthly, the Ad Hoc committee can provide guidance between Board meetings, allowing for the timely resolution of issues. For this purpose, the Ad Hoc committee may meet once or twice prior to finalizing the draft franchise

agreement and RFP, prior to the selection of a contractor, and prior to presentation of a final agreement for approval by the Board.

ALTERNATIVES

Do not appoint an Ad Hoc committee. This may result in the need for additional special meetings of the Board and would not allow for confidential direction from the Board regarding contract negotiations.

FISCAL IMPACT

The scope of work and budget to perform the Competitive Procurement did not include meeting with the Ad Hoc committee. It would be expected that up to six meetings of the Ad Hoc committee might occur requiring preparation of materials, presentation of recommendations and follow up. Such support may require up to an additional \$10,000. This expense would be reimbursed by the selected contractor.

DOCUMENTS ATTACHED

None



Robert D. Hilton
Executive Director

WEST VALLEY
SOLID WASTE MANAGEMENT
AUTHORITY

AGENDA REPORT

Date: October 15, 2012
To: West Valley Solid Waste Management Authority Board
From: Executive Director
Subject: **Procurement Process Code of Conduct**

RECOMMENDED ACTION

If the Board elects to begin the collection franchise procurement process, approve Resolution 2012-04 adopting a code of conduct for the process.

DISCUSSION

As part of the last collection services procurement process, the Board adopted a Code of Conduct to provide specific language on “dos and don’ts”, provide timeframes for when the rules apply and clarify whether “social conduct” is permissible. The Authority Counsel has updated the prior Code of Conduct to reflect the current timeline for the procurement process.

DOCUMENTS ATTACHED

Resolution 2012-04
Code of Conduct for Procurement Process

FISCAL IMPACT

None.



Robert D. Hilton

Executive Director

RESOLUTION NO. 2012-04

RESOLUTION OF THE WEST VALLEY SOLID WASTE MANAGEMENT AUTHORITY ADOPTING A CODE OF CONDUCT FOR THE 2014 PROCUREMENT PROCESS

Whereas, the Authority is a joint powers authority between the Cities of Campbell, Monte Sereno and Saratoga and the Town of Los Gatos ("Member Agencies");

Whereas, the Board Members of the Authority are obligated to comply with the Political Reform Act of 1974 ("PRA") to control conflicts of interests through, among other things, disclosure of financial interests;

Whereas, the West Valley Solid Waste Management Authority ("Authority") is in the process of requesting and receiving proposals for the collection and disposal of solid waste within the jurisdiction of the Authority ("Procurement Process"); and

Whereas, the Board of Directors of the Authority desires to maintain a professional process free from any undue influence and the appearance of impropriety by complying with the PRA and adopting additional regulations regarding the Procurement Process.

THEREFORE, the West Valley Solid Waste Management Authority hereby adopts the Code of Conduct For the Procurement Process attached hereto as Appendix A.

Regularly adopted and passed this 15th day of October, 2012, by the following vote:

AYES:
NOES:
ABSENT:

APPROVED:

Howard Miller, Chairperson

ATTEST:

Robert Hilton, Executive Director

APPENDIX A

WEST VALLEY SOLID WASTE MANAGEMENT AUTHORITY CODE OF CONDUCT FOR PROCUREMENT PROCESS

POTENTIAL CONFLICT OF INTEREST. Each Board Member shall inform the Executive Director of the Authority and each elected official of the Member Agencies ("Elected Official") shall inform the staff of his or her Member Agency of any potential conflicts of interest regarding potential proposers for solid waste services for the Authority ("Potential Proposers"). Information regarding potential conflicts shall be provided within 10 days of the Board Member or Elected Official learning of the potential conflict.

CONTRIBUTIONS. No Board Member or Elected Official shall accept any contributions by Potential Proposers from the date of adoption of this code until March 1, 2014. Each Board Member and Elected Official shall disclose all past contributions from Potential Proposers to the Executive Director of the Authority.

PROHIBITED CONTACTS. No Board Member or Elected Official shall have non-public meetings or conversations with Potential Proposers from the date of adoption of this code until March 1, 2014, regarding the Procurement Process or any matters involving the Potential Proposers. However, this section shall not prohibit Board Members and elected officials from meeting with Potential Proposers for purely social reasons. All Board Members and Elected Officials shall refer any questions regarding the Procurement Process to the Executive Director of the Authority. Board Members and Elected Officials shall disclose to the Executive Director of the Authority any non-public meetings or conversations with Potential Proposers regarding the Procurement Process which occurred prior to the adoption of this code. A "non-public" meeting is any meeting that has not been called and held in accordance with the Brown Act.

WEST VALLEY
SOLID WASTE MANAGEMENT
AUTHORITY

AGENDA REPORT

Date: October 15, 2012
To: West Valley Solid Waste Management Authority Board
From: Executive Director
Subject: **Member Agency and Public Outreach**

RECOMMENDED ACTION

Discuss and approve a Member Agency and Public Outreach plan, which may include:

- Additional meetings (8-12) with the councils of the Member Agencies to: discuss services (one for this purpose is already planned); present the request for proposals and draft franchise agreement (none have been planned); and, present the results of the procurement process and the recommended contractor (none have been planned).
- A survey of residential customers' attitudes and opinions. This survey can take many forms. One very cost effective approach is to invite residential customers (through post cards, city newsletters and WVC&R website) to participate in an online survey using Survey Monkey.
- Group meetings could be used to solicit commercial and multifamily customers' attitudes and opinions. Coordinating through the Chambers of Commerce and Apartment Owners Association in each of the Member Agencies (except Monte Sereno). A total of six meetings may be sufficient to discuss changes to services and present the results of the process.

DISCUSSION

In anticipation of the expiration of the initial term of the solid waste collection and processing contract with WVC&R on February 28, 2014, the Board will be evaluating new programs and services, a possible change in collection companies and, perhaps changes in rates and or rate structures. Outreach to the Member Agencies, as well as

residential and commercial customers can assist the Board in making decisions regarding new programs and services and allows the Board to educate the public about the need for any changes and set their expectations.

ALTERNATIVES

- Do not expand the existing outreach beyond the one meeting with each of the Member Agencies councils.
- Reduce the scope of the outreach described above.
- Provide direction to staff regarding another outreach approach.

FISCAL IMPACT

Each of the additional 8-12 meetings with the Member Agency councils requires preparation of materials, presentation and follow up. Such support may require up to an additional \$15,000-\$20,000.

Preparation of the invitation, development of survey questions, administering the residential customer survey process and summarizing the results may require up to \$5,000 (not including postage).

Each of the additional six meetings with the commercial and multifamily customers requires preparation of materials, presentation and follow up. Such support may require up to an additional \$10,000.

These expenses would be reimbursed by the selected contractor.

DOCUMENTS ATTACHED

None



Robert D. Hilton
Executive Director

WEST VALLEY SOLID WASTE MANAGEMENT AUTHORITY

Executive Director

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Member Agencies

City of Campbell
Town of Los Gatos
City of Monte Sereno
City of Saratoga

MEETING MINUTES

May 3, 2012

Monte Sereno City Hall
18041 Saratoga-Los Gatos Road
Monte Sereno, CA 95030

CALL TO ORDER

At 5:11 p.m., Chair Howard Miller called the meeting to order.

PLEDGE OF ALLEGIANCE

ROLL CALL

Chair Howard Miller, representing Saratoga, Vice Chair Steve Rice, representing Los Gatos, Alternate Board Member Michael Kotowski, representing Campbell, and Alternate Board Member Susan Garner, representing Monte Sereno, were present. Also present were Executive Director Robert Hilton and Authority Counsel Kirsten Powell.

ORAL COMMUNICATIONS FROM THE PUBLIC

None

WRITTEN COMMUNICATIONS

None

OLD BUSINESS

1. Upon a motion by Vice Chair Rice and a second by Alternate Kotowski, the Board unanimously received the report from Authority Counsel Powell and directed staff

to send a letter to the West Valley Mayors and Managers encouraging them to consider a polystyrene ban as part of their sustainability plans.

2. The Board received a report that the cities of Campbell and Los Gatos are participating in an EIR study related to banning single use bags.

NEW BUSINESS

3. Upon a motion by Vice Chair Rice and a second by Alternate Garner, the Board unanimously approved a contract amendment with HF&H Consultants, LLC redesignating the Executive Director and including negotiation and competitive procurement services in the scope of service.
4. Upon a motion by Vice Chair Rice and a second by Alternate Kotowski, the Board unanimously approved conducting a Board Planning Workshop and directed staff to schedule the workshop as soon as possible.
5. Upon a motion by Vice Chair Rice and a second by Alternate Kotowski, the Board unanimously directed the Executive Director to facilitate and performance review of West Valley Collection and Recycling; reviewed and accepted the scope of the review and budget of \$40,000 and scheduled the Performance Hearing for the September 6, 2012 Board meeting.
6. Upon a motion by Vice Chair Rice and a second by Alternate Kotowski, the Board unanimously approved Resolution 2012-01 adopting the FY 2012-2013 budget and work plan adding the expense of the Performance Review and corresponding revenues from WVC&R's agreement to reimburse the cost of the performance review.

PUBLIC HEARINGS

7. Upon a motion by Alternate Katowski and a second by Alternate Garner, the Board unanimously approved Resolution 2012-02 ratifying the Guadalupe Landfill contractual disposal propriety rate increase of 2.6% effective July 1, 2012.
8. Upon a motion by Vice Chair Rice and a second by Alternate Kotowski, the Board unanimously approved Resolution 2012-03 ratifying the West Valley Collection and Recycling contractual rate increase of 3.66% effective July 1, 2012. The motion was amended to include the rates in the staff report to include costs for street sweeping, household hazardous waste fees and administrative costs of the Authority, except for Saratoga's street sweeping which will be amended by staff.

CONSENT CALENDAR

9. Upon a motion by Vice Chair Rice and a second by Alternate Kotowski the Board unanimously approved the minutes of the February 2, 2012, regular Board meeting and the year-to-date financial report

BOARD MEMBER REPORTS

None.

ADJOURNMENT

Chair Miller adjourned the meeting of the Board at approximately 7:30 p.m. until the next regular Board Meeting on Thursday September 6, 2012, at 5:00 p.m.

WEST VALLEY
SOLID WASTE MANAGEMENT
AUTHORITY

AGENDA REPORT

Date: October 15, 2012
To: West Valley Solid Waste Management Authority Board
From: Executive Director
Subject: **YTD Financial**

RECOMMENDED ACTION

Accept report on the Authority's FY 2011-12 financial status

DISCUSSION

The report titled "Statement of Revenues, Expenditures, and Changes in Fund Balance - Budget and Actual" shows the approved budget, the year to date actual amounts, and the preliminary fund balance through March for FY 2011-12. With 100% of the fiscal year passed, the report shows that the Authority expended \$207,697 or 96.43% of the approved FY 2011-12 budget. A/C 7430, Professional and Special Services is over budget by \$6,057 as a result of starting the WVC&R Performance Review in May in order to have the review completed for the September 2012 Board meeting. The fees for the performance review are included in the FY12-13 budget. These fees like the consulting fees for the rate year six rate review will be reimbursed to the Authority by WVC&R. The final reimbursements from WVC&R of approximately \$30,000 and \$25,000 for the rate year six rate review and performance review, respectively, are still pending. Note that these are preliminary numbers subject to audit.

The preliminary fund balance (\$165,511.83) is less than the \$200,000 as a result of the reimbursements due the Authority from WVC&R. Once those payments are received the fund balance will be slightly in excess of \$200,000 which is consistent with the Board's policy, adopted February 2011, of maintaining an operating reserve of \$100,000 and a rate stabilization reserve of \$100,000.

FISCAL IMPACT

None

DOCUMENTS ATTACHED

Statement of Revenues, Expenditures, and Changes in Fund Balance - Budget and Actual June 30, 2012 - Preliminary.



Robert D. Hilton
Executive Director

West Valley Solid Waste Management Authority
Statement of Revenues, Expenditures, and
Changes in Fund Balance - Budget and Actual
June 30, 2012 Preliminary

Acct. #	Description	JPA Budget FY 11/12	Year to Date Actual	Balance	YTD %
Revenues:					
4410	Interest Earnings	\$ -		\$ -	N/A
4970	City of Campbell	42,790	42,790.00	-	100.00%
4970	City of Los Gatos	32,257	32,257.00	-	100.00%
4970	City of Monte Sereno	3,839	3,839.00	-	100.00%
4970	City of Saratoga	33,508	33,508.00	-	100.00%
4965	AB 2020 Program State Contribution	-		-	-
4965	Other	103,000	53,822.75	49,177.25	52.26%
	Total Revenues	<u>\$ 215,394</u>	<u>\$ 166,216.75</u>	<u>\$ 49,177.25</u>	77.17%
Expenditures:					
Services and Supplies:					
7421	Communications-Phone	-	-	-	-
7424	Office Expense	500	-	500.00	-
7427	Special Departmental Exp. (Legal Svcs.)	5,737	5,445.00	292.00	94.91%
7430	Prof. & Special Services (Executive Director)	85,857	113,082.66	(27,225.66)	131.71%
7430	Prof. & Special Services (Special Projects)	100,000	83,831.50	16,168.50	83.83%
7430	Prof. & Special Services (Other)	5,000	-	5,000.00	-
7432	Other Contractual Services (Audit Svcs.)	4,455	2,631.00	1,824.00	59.06%
7432	Other Contractual Services (Countywide Support)	1,000	-	1,000.00	-
7433	Insurance (Liability)	2,100	2,100.85	(0.85)	100.04%
7435	Travel/Conf. & Meetings	4,000	606.32	3,393.68	15.16%
7438	Other Charges (Accounting & Bookkeeping)	6,745	-	6,745.00	-
7883	Improvements (AB2020 Infrastructure)	-	-	-	-
	Total Expenditures	<u>\$ 215,394</u>	<u>\$ 207,697.33</u>	<u>\$ 7,696.67</u>	96.43%
	Excess (deficiency) of revenues over (under) expenditures	-	(41,480.58)	(41,480.58)	
	Fund balance at beginning of year - 7/1/2011	206,992	206,992.41		
	Fund balance as of June 30, 2012 Preliminary	<u><u>\$ 206,992</u></u>	<u><u>\$ 165,511.83</u></u>		