

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

REGULAR MEETING AGENDA

November 7, 2019

Monte Sereno City Hall
18041 Saratoga-Los Gatos Road
Monte Sereno, CA 95030
5:00 p.m.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

ORAL COMMUNICATIONS FROM THE PUBLIC

WRITTEN COMMUNICATIONS

None

OLD BUSINESS

1. Receive a report on the \$5,000 received from West Valley Collection & Recycling to the Authority for public education and outreach.

NEW BUSINESS

2. Receive a report on SB 1383 and Member Agency Compliance Status.
3. Receive a report on recent regulatory changes and program updates.
4. Consider a report on WVC&R's prior fiscal year complaints and liquidated damages.
5. Oral report on Ad Hoc Committee Meetings for the disposal agreement procurement.*
6. Oral report on WVC&R's extraordinary rate adjustment request.*

“*” - indicates no board attachment or oral report

PUBLIC HEARINGS

None

CONSENT CALENDAR

7. Approve minutes of September 5, 2019 Regular Board Meeting.
8. Year-to-Date Financial Report

EXECUTIVE DIRECTOR REPORT

FUTURE AGENDA ITEMS

BOARD MEMBER REPORTS

CONVENE TO CLOSED SESSION

PUBLIC EMPLOYEE EVALUATION

Legal Authority: Govt Code section 54957(b)(1)

Position: Executive Director, Authority Counsel

Staff Present: Executive Director, Authority Counsel

RECONVENE TO OPEN SESSION

REPORT ON ACTION TAKEN DURING CLOSED SESSION

ADJOURNMENT

Next Regular Meeting: February 6, 2020, 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.

WEST VALLEY
SOLID WASTE MANAGEMENT
AUTHORITY

AGENDA REPORT

Date: November 7, 2019
To: West Valley Solid Waste Management Authority Board
From: Executive Director
Subject: **WVC&R Public Education & Outreach**

RECOMMENDED ACTION

Receive a report on the \$5,000 received from West Valley Collection & Recycling for public education and outreach.

DISCUSSION

At the November 1, 2018 Board Meeting, WVC&R offered to pay the Authority \$5,000 for public education and community outreach in lieu of \$6,338.34 in liquidated damages for new customer performance standards.

The funds are intended to be used for future public education and community outreach towards implementation of upcoming legislation including SB 1383.

The Authority received the funds from WVC&R and will hold until the Board provides direction on the best use.

FISCAL IMPACT

None

DOCUMENTS ATTACHED

None



Marva M. Sheehan
Executive Director

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WEST VALLEY
SOLID WASTE MANAGEMENT
AUTHORITY

AGENDA REPORT

Date: November 7, 2019
To: West Valley Solid Waste Management Authority Board
From: Executive Director
Subject: **Update to SB 1383 and Member Agency Compliance Status**

RECOMMENDED ACTION

Receive a report on SB 1383 and Member Agency Compliance Status

DISCUSSION

Since the last Board Meeting on September 5, 2019, the third formal draft of SB 1383 was released on October 2, 2019. Additionally, on October 21, 2019, the WWSWMA staff members received a second presentation from HF&H on SB1383 regulations.

Legislation

SB 1383 was signed by Governor Brown on September 19, 2016 and the second formal draft of the regulations was released on June 19, 2019. The third formal draft was released on October 2, with a 16 day comment period following. Final Regulations will then be submitted to the Office of Administrative Law for approval in January of 2019.

The primary goals of SB 1383 are to reduce organic waste disposed in landfills 50% by 2020 and 75% by 2025 (2014 baseline), and to reach recovery of 20% of edible food that would otherwise be disposed of in landfills by 2025. To achieve these goals, SB 1383 requires action in the following areas: Organics, Ordinances, Education and Outreach, Contamination Monitoring, Procurement of Organic Materials, Edible Food Recovery, and Compliance Reporting. Enforcement and penalties for non-compliance begin January 1, 2022 for jurisdictions and January 1, 2024 for generators, haulers, and processors.

Exemption waivers exist for both generators and jurisdictions if they have low-volume, low-population, or physical space constrains (§18984.11). The City of Monte Sereno

may apply for a low-population waiver (<7,500), depending on the 2020 Census, that will be valid for up to 5 years. However, Monte Sereno may choose to adopt some or all of the policies and procedures adopted by the other Member Agencies.

The following is a summary of the main requirements of SB 1383 by category. Refer to the attached visual timeline for a high-level action plan and key compliance deadlines. The initial compliance deadline for all jurisdictions is **January 1, 2022** with additional compliance deadlines thereafter.

Recycling and Organic Waste Collection Services - Partially Compliant

Commencing January 1, 2022, the State requires all residential and commercial organic waste generators to divert organics materials, including food waste, green waste, and paper from landfill disposal. While the Authority currently offers a 3-container collection program, the current program will need to be expanded to include food waste in residential organics collection (§18984.1-18984.3). Additionally, containers will need to meet labeling and color requirements (§19894.7 & 19894.8).

Ordinances - Currently Non-Compliant

By January 1, 2022, jurisdictions must adopt enforceable ordinances or similar mechanisms to achieve local compliance with SB 1383 (§18981.2.a), including ordinances for recycling/organics, self-haul/back-haul, edible food recovery, hauler regulations, and enforcement. Currently, there are no ordinances in place that meet SB 1383 compliance. Model Ordinances will be released by CalRecycle in early 2020 for use by jurisdictions.

Education and Outreach

Food Recovery - Currently Non-Compliant

Prior to February 1, 2022, and annually thereafter, jurisdictions will need to provide businesses that generate edible food waste with information regarding the jurisdiction's edible food recovery program, generator requirements, reduction of edible food, and food recovery organizations (§18985.2.b).

Residential, Commercial, & Multi-Family Organics - Partially Compliant

Annually beginning February 1, 2022, jurisdictions will need to provide information on properly separating materials, organic waste prevention, on-site recycling, methane reduction benefits, public health and environmental impacts, how to recycle organic waste, a list of approved haulers, and information related to food recovery (§18985.1.a).

Currently, WVC&R provides a quarterly newsletter to commercial or residential subscribers detailing recycling information.

Self-Haul Organics- Currently Non-Compliant

Self-haulers must be provided with information regarding their requirements to either source-separate organic waste or bring it to a high diversion organic waste processing facility, and keep records of organics delivered unless they are a residential organics hauler (§18988.3). Education and outreach provided to organic waste generators will need to include information regarding self-haul requirements (§18985.1.a).

Contamination Monitoring - Currently Non-Compliant

Enforcement of SB 1383 on generators and haulers begins on January 1, 2022 with compliance reviews of commercial accounts meeting certain requirements (§18995.1). Beginning April 1, 2022, annual route reviews or composition studies will be added. The reviews/studies may be performed by the Authority, Agency staff, or another designee (i.e. the WVC&R). Non-compliance results in educational material. After January 1, 2024, non-compliance results in enforcement action and penalties to generators.

Procurement of Materials - Partially Compliant

Organic Waste

Each jurisdiction must procure recovered organic waste products (e.g., compost or renewable transportation fuel) in quantities that comply with SB 1383 requirements (§18993.1). Procurement quantities shall be determined by the State every five years and are to be based on each jurisdiction’s population. The total organic waste tons each Member Agency needs to procure is calculated by multiplying the Agency’s population by the per capita procurement target as per the most recent draft regulations of 0.08. The table below summarizes how many tons of organic material each Member Agency will need to procure each year starting in 2022. Currently, some organic waste is being procured, but will need to be expanded.

SB 1388 Organic Waste Procurement Target		
Member Agency	Population (1/1/19)	Tons
Campbell	43,250	3,460
Los Gatos	30,988	2,479
Monte Sereno	3,787	303
Saratoga	31,407	2,513

Recycled-Content Paper

In addition to procuring recovered organic waste products, the Agency must procure recycled-content paper consistent with the Public Contract Code (§18993.3) starting January 1, 2022. This includes Parks and Recreation, Health Department, etc. Currently, some recycled paper products are being procured, but programs will need to be expanded.

Edible Food Recovery – Currently Non-Compliant

The jurisdiction's responsibility surrounding edible food recovery includes educating generators, increasing access, and enforcing Tier 1 generators (Supermarkets, Wholesale Food Vendors, Food Service Providers/Distributors, and Grocery stores (<7,500 sq. ft.)) and Tier 2 generator's (Restaurants, Hotels, Event Venues, Education Facilities, and Health facilities based on occupancy) use of food recovery organizations (§18991.1). A list of food recovery organizations shall be maintained on the jurisdiction's website and be provided to food generators at least annually (§18985.2). Tier 1 generators must be compliant by January 1, 2022 and Tier 2 generators by January 1, 2024. If there is insufficient capacity for recovery, the jurisdictions shall be responsible for increasing capacity. The Member Agencies will need to coordinate with their Public Health Department and the County in establishing the program.

Compliance Reporting – Currently Non-Compliant

Implementation Record

Jurisdictions will report on their implementation and compliance with SB 1383 to CalRecycle. The Implementation Record will contain all actions taken for compliance with SB 1383 and shall be readily available upon request (§18995.2). This includes ordinances adopted, contamination records, education and outreach records, edible food recovery records, procurement records, enforcement records, etc.

Initial Compliance Report

The Initial Compliance Report details ordinances adopted and reporting items identified in the Annual Report (§18994.1).

Ongoing Reporting

The Capacity Planning Report will need to include the current level of organic waste and edible food disposed, current infrastructure capacity, and estimated new or expanded capacity (§18992.1 and §18992.2). The Annual Report will need to include all information regarding compliance with SB 1383 (enacted ordinances, organics collections,

contamination monitoring, generator/jurisdiction waivers, food recovery, volumes diverted, overall compliance of generators, etc.) (§18994.2). Like the current AB 939 reporting, the Authority staff will prepare the Annual Reports on behalf of each agency.

Report Name	Due Date
Implementation Record	January 1, 2022
Initial Compliance Report	April 1, 2022
Capacity Planning Reports	August 1, 2022 and 2024
First Annual Report	October 1, 2022
Following Annual Reports	Annually starting August 1, 2023

Penalties

Jurisdiction Penalties – **Beginning January 1, 2022**

Note: Jurisdictional penalties were updated in the most recent draft.

Penalties for non-compliant jurisdictions depend on the severity of a violation, as outlined in Section §18997.3 - Department Penalty Amounts. Violations are categorized as “minor,” “moderate,” or “major” and have associated fees ranging from \$500 to \$10,000 per violation per day.

Generator Penalties – **Beginning January 1, 2024**

Note: Generator penalties were updated in the most recent draft.

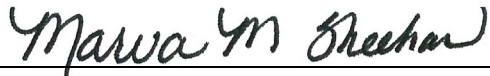
Penalties for non-compliant generators and haulers are outlined in Section §18997.2 – Penalty Amounts. Penalties range from \$50 to \$500 per offense.

FISCAL IMPACT

Unknown

DOCUMENTS ATTACHED

SB 1383 Action Plan Timeline



Marva M. Sheehan
Executive Director

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West Valley Solid Waste Management Authority
SB 1383 Action Plan

SB 1383 Regulation	2019				2020				2021				2022				2023				2024			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Organics Collection Programs																								
Disposal agreement negotiation	Planning				Implementation				Ongoing Operations				Ongoing Operations				Ongoing Operations				Ongoing Operations			
Capacity Planning	Planning				Implementation				Ongoing Operations				Ongoing Operations				Ongoing Operations				Ongoing Operations			
Expand residential organics collection	Planning				Implementation				Ongoing Operations				Ongoing Operations				Ongoing Operations				Ongoing Operations			
Ensure containers have compliant labels	Planning				Implementation				Ongoing Operations				Ongoing Operations				Ongoing Operations				Ongoing Operations			
Ensure new containers provided follow color requirements	Planning				Implementation				Ongoing Operations				Ongoing Operations				Ongoing Operations				Ongoing Operations			
Ordinances and Policies																								
Adopt enforceable ordinance or similar mechanism	Planning				Implementation				Ongoing Operations				Ongoing Operations				Ongoing Operations				Ongoing Operations			
Require organics haulers to identify facilities utilized	Planning				Implementation				Ongoing Operations				Ongoing Operations				Ongoing Operations				Ongoing Operations			
Adopt ordinances/similar mechanisms for specific reqs.	Planning				Implementation				Ongoing Operations				Ongoing Operations				Ongoing Operations				Ongoing Operations			
Grant waivers to generators & verify	Planning				Implementation				Ongoing Operations				Ongoing Operations				Ongoing Operations				Ongoing Operations			
Contamination Monitoring																								
Route Reviews/Composition Studies	Planning				Implementation				Ongoing Operations				Ongoing Operations				Ongoing Operations				Ongoing Operations			
Noncompliant generator educational follow-up	Planning				Implementation				Ongoing Operations				Ongoing Operations				Ongoing Operations				Ongoing Operations			
Inspections triggered by processing facility	Planning				Implementation				Ongoing Operations				Ongoing Operations				Ongoing Operations				Ongoing Operations			
Maintain noncompliance notice records	Planning				Implementation				Ongoing Operations				Ongoing Operations				Ongoing Operations				Ongoing Operations			
Education & Outreach																								
Provide applicable businesses w/ food recovery info	Planning				Implementation				Ongoing Operations				Ongoing Operations				Ongoing Operations				Ongoing Operations			
Provide all generators w/ required info	Planning				Implementation				Ongoing Operations				Ongoing Operations				Ongoing Operations				Ongoing Operations			
Enforcement & Penalties																								
Inspections of regulated entities	Planning				Implementation				Ongoing Operations				Ongoing Operations				Ongoing Operations				Ongoing Operations			
Provide noncompliant generators with public edu.	Planning				Implementation				Ongoing Operations				Ongoing Operations				Ongoing Operations				Ongoing Operations			
Verify waivers granted to businesses	Planning				Implementation				Ongoing Operations				Ongoing Operations				Ongoing Operations				Ongoing Operations			
Investigate complaints and maintain records	Planning				Implementation				Ongoing Operations				Ongoing Operations				Ongoing Operations				Ongoing Operations			
Take enforcement actions	Planning				Implementation				Ongoing Operations				Ongoing Operations				Ongoing Operations				Ongoing Operations			
Procurement of Recovered Organic Waste																								
Procure prescribed quantity of recovered organic waste	Planning				Implementation				Ongoing Operations				Ongoing Operations				Ongoing Operations				Ongoing Operations			
Purchase 75% of paper with recycled content	Planning				Implementation				Ongoing Operations				Ongoing Operations				Ongoing Operations				Ongoing Operations			
Reporting																								
Create an ongoing Implementation Record	Planning				Implementation				Ongoing Operations				Ongoing Operations				Ongoing Operations				Ongoing Operations			
Produce a Capacity Planning Report	Planning				Implementation				Ongoing Operations				Ongoing Operations				Ongoing Operations				Ongoing Operations			
Produce an Initial Compliance Report	Planning				Implementation				Ongoing Operations				Ongoing Operations				Ongoing Operations				Ongoing Operations			
Produce an Annual Report	Planning				Implementation				Ongoing Operations				Ongoing Operations				Ongoing Operations				Ongoing Operations			
Edible Food Recovery																								
Implement edible food recovery program	Planning				Implementation				Ongoing Operations				Ongoing Operations				Ongoing Operations				Ongoing Operations			
Monitor compliance of edible food generators	Planning				Implementation				Ongoing Operations				Ongoing Operations				Ongoing Operations				Ongoing Operations			
Increase edible food recovery capacity, if needed	Planning				Implementation				Ongoing Operations				Ongoing Operations				Ongoing Operations				Ongoing Operations			
Annually provide Tier 1/Tier 2 generators w/ info	Planning				Implementation				Ongoing Operations				Ongoing Operations				Ongoing Operations				Ongoing Operations			
Develop/maintain online list of food recovery orgs.	Planning				Implementation				Ongoing Operations				Ongoing Operations				Ongoing Operations				Ongoing Operations			

Legend
Planning
Implementation
Ongoing Operations

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WEST VALLEY
SOLID WASTE MANAGEMENT
AUTHORITY

AGENDA REPORT

Date: November 7, 2019
To: West Valley Solid Waste Management Authority Board
From: Executive Director
Subject: **Recent Regulatory Changes and Program Updates**

RECOMMENDED ACTION

Receive a report on the recent regulatory changes and program updates.

DISCUSSION

Legislation

AB 827

Effective July 1, 2020, AB 827 will require all businesses generating 4 cubic yards or more of commercial solid waste or 8 cubic yards or more of organic waste per week to provide visible recycling containers for customer use. These containers must be marked with educational signage. Full-service restaurants would be exempt.

AB 1162

Effective January 1, 2023, AB 1162 prohibits lodging establishments with more than 50 rooms from providing small plastic bottles containing personal care products. Commencing January 4, 2024, lodging establishments with 50 rooms or less will also be prohibited from providing these bottles. The bill grants local agencies to inspect sleeping accommodations in lodging establishments to enforce requirements through citations. Sleeping accommodations found with a first violation will receive a written warning and \$500 penalties will be imposed for the 2nd and any subsequent violations.

Ongoing

AB 1826

AB 1826 was focused on separately collecting organic materials and phased in the participation requirements over several years. Effective January 1, 2019, it required customers generating 4 or more cubic yards of solid waste per week to subscribe to organic material collection.

Effective January 1, 2020, generators with 2 or more cubic yards of solid waste per week will be required to subscribe to organic material collection if CalRecycle determines on that date that organics waste has not been reduced by 50% of 2014 levels.

There are six (6) customers, three (3) in Campbell, one (1) in Los Gatos, and two (2) in Saratoga that are not currently in compliance with AB 1826. The customers in Campbell and Los Gatos are in the process of establishing organic material collection with WVC&R and are expected to be in compliance by the end of November 2019. The customers in Saratoga have been reluctant to subscribe to service and WVC&R plans one more attempt to gain compliance before reaching out to City staff for assistance.

AB 341

AB 341 mandates all businesses generating 4 cubic yards or more of solid waste per week to have recycling service, (effective July 1, 2012). Businesses include commercial customers producing 4 or more cubic yard of solid waste per week and all multi-family residential dwellings with five or more units regardless of the amount of solid waste generated. Although the bill does not mandate diversion standards for each jurisdiction, it sets a statewide goal of 75% disposal reduction by 2020.

WVC&R reports that all businesses are in compliance.

FISCAL IMPACT

None

DOCUMENTS ATTACHED

None



Marva M. Sheehan
Executive Director

WEST VALLEY
SOLID WASTE MANAGEMENT
AUTHORITY

AGENDA REPORT

Date: November 7, 2019
To: West Valley Solid Waste Management Authority Board
From: Executive Director
Subject: **FY 18-19 Liquidated Damages Assessed to WVC&R**

RECOMMENDED ACTION

Consider the report on service complaints reported under the collection agreement with West Valley Collection & Recycling (WVC&R).

DISCUSSION

Summary

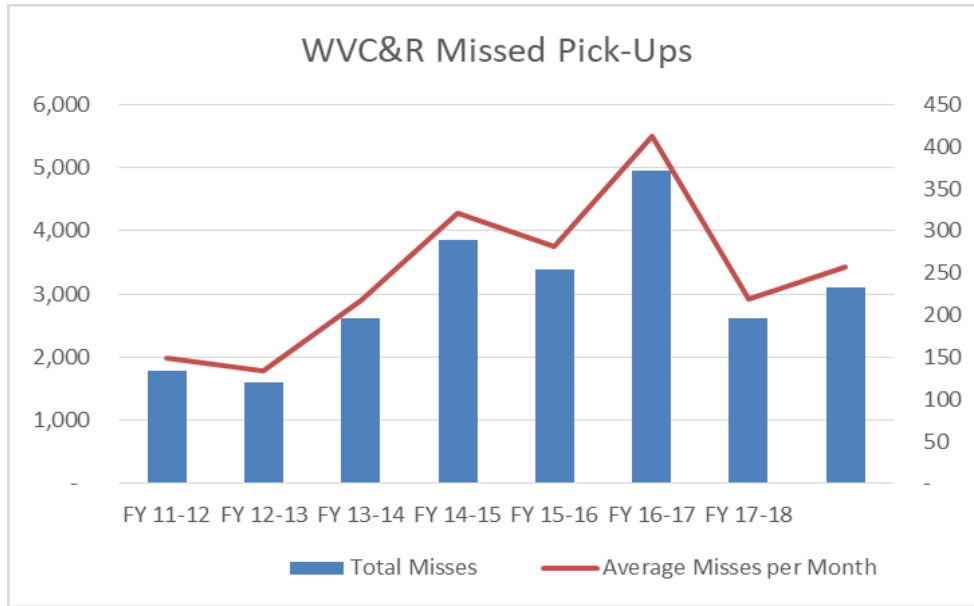
Section 13.6.B of the Collection Agreement with WVC&R outlines the service performance standards and liquidated damages associated with failing to meet those standards. WVC&R reports the number of customer complaints (by complaint type) to the Executive Director on a quarterly basis.

Missed Pick-ups

A missed pickup is defined as the failure of WVC&R to collect material that has been properly set out for collection by the customer on the correct service day. When informed by the customer of a missed pick-up, WVC&R has one business day to return and service the customer that was missed. The performance standard allows 20 such failures per quarter.

We began observing a steady increase in missed pick-ups in FY 13-14. The number had increased from an average of about 125 per month in FY 12-13 to an average of about 400 per month in FY 16-17.

In FY 17-18, the average number of missed pickups were reduced to approximately 200 per month. However, a 25% increase occurred in FY 18-19 and the average of missed pickups was approximately 250 per month. The trend of missed pickups is shown in the chart below.



WVC&R reported they did not respond within one business day to 70 instances of missed pick-ups, which did not exceed the allowance of 20 such failures per quarter.

Double Missed Pick-ups

A double missed pick-up is defined as the failure to collect material that was properly set out from the same customer on two consecutive scheduled pickup days. WVC&R incurred 51 instances of a double miss in FY 18-19. The performance standard does not provide for a maximum allowance per quarter, making each one subject to liquidated damages.

Therefore, \$8,966.31 (51 multiplied by \$175.81 per occurrence) in liquidated damages is due the WWSWMA as shown in the table below:

Summary of Double Missed Pick-ups

	Double Missed Pick-Up	Allowed	Double Missed Pick-Ups Subject to Liquidated Damages	Liquidated Damage per Account	Total Liquidated Damages
Quarter 1	10	0	10	\$ 175.81	\$ 1,758.10
Quarter 2	8	0	8	\$ 175.81	\$ 1,406.48
Quarter 3	18	0	18	\$ 175.81	\$ 3,164.58
Quarter 4	15	0	15	\$ 175.81	\$ 2,637.15
Total	51	0	51	\$ 175.81	\$ 8,966.31

Additionally, at the November 1, 2018 Board Meeting, the Board placed FY 17-18 double missed pick-up liquidated damages of \$10,975.18 in abeyance to be reviewed with FY 18-19 liquidated damages. WVC&R was to reduce double missed pick-ups in half, to 34 or less occurrences, in order to waive the FY 17-18 liquidated damages.

WVC&R's 51 instances of double missed pick-ups in FY 18-19 were not below the needed 34 and therefore the prior FY's double missed pick-up charges will be assessed in addition to FY 18-19 for a total of \$19,941.49.

New Customer Starts

WVC&R must commence new customer starts no later than seven days after the designated service date.

WVC&R incurred 24 instances of failing to commence new starts within the prescribed period in FY 18-19, which did not exceed the allowance of 24 such failures for the fiscal year.

Summary of New Customer Starts

	New Customer Starts	Allowed	New Customer Starts for Liquidated Damages	Liquidated Damage per Account	Total Liquidated Damages
Fiscal Year	24	24	0	\$ 175.81	\$ -
Total	24	24	0	\$ 175.81	\$ -
Criteria - Failure to commence service within 7 day after designated service date. LD calculation excludes service performed at days 7,8, or 9 days to allow for weekly service overlap.					

Property Damage

The threshold for property damage claims in the collection agreement is 36 per year, or the equivalent of 3 per month. WVC&R reported 8 property damage claims for the year. WVC&R met the standard for property damage during the year.

Other Complaints

The collection agreement imposes liquidated damages for other service issues that are subject to performance thresholds in some cases. WVC&R's performance in these areas (e.g., collection outside authorized hours, and public education) meets or exceeds the standards.

Recommendation

The purpose of assessing liquidated damages is to ensure consistent and reliable service and performance by WVC&R. An assessment of \$8,966.31 is warranted under the Agreement for FY 18-19 and an additional \$10,975.18 for FY 17-18 for a total of \$19,941.49.

For FY 18-19, I recommend the Board consider assessing \$19,941.49 in liquidated damages.

FISCAL IMPACT

The Authority is to receive \$19,941.49 in cumulative liquidated damages. Funds may be used at the Board's discretion.

DOCUMENTS ATTACHED

None



Marva M. Sheehan
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

September 5, 2019

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

CALL TO ORDER

At 5:01 pm, Chair Resnikoff called the meeting to order.

PLEDGE OF ALLEGIANCE

ROLL CALL

Chair Paul Resnikoff, representing Campbell, Vice Chair Barbara Spector, representing Los Gatos, Member Rishi Kumar, representing Saratoga, and Member Daniel LaBouve, representing Monte Sereno, were present. Also present were Executive Director Alternate Rob Hilton and Authority Counsel Kirsten Powell.

ORAL COMMUNICATIONS FROM THE PUBLIC

None

WRITTEN COMMUNICATIONS

None

OLD BUSINESS

None

NEW BUSINESS

1. The Board received and filed a report on the Member Agencies' 2018 CalRecycle Annual Reports.
2. The Board received an oral report on Ad Hoc Committee Meetings for the disposal agreement procurement.
3. Upon a motion by Vice Chair Spector and a second by Member Kumar, the Board voted 4-0 to approve a resolution establishing a Code of Conduct for the disposal agreement procurement process.
4. The Board received a report on SB 1383 and Member Agency Compliance Status.
5. The Board received a report on recent regulatory changes and program updates.
6. The Board considered a report on an Interim Rate Adjustment Request from WVC&R in response to China's National Sword Policy. No action was taken.

PUBLIC HEARINGS

None

CONSENT CALENDAR

1. Upon a motion by Member Kumar and a second by Vice Chair Spector, the Board voted 4-0 to approve the minutes of the May 2, 2018 Regular Board Meeting.
2. The Board received the Executive Director financial report for the 12 months ended June 30, 2019 and the report on the West Valley Solid Waste Management Authority's FY 17-18 Audited Financial Statements.

FUTURE AGENDA ITEMS

None

BOARD MEMBER REPORTS

None

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.

ADJOURNMENT

Chair Resnikoff adjourned the meeting of the Board at 5:56 pm until the next regular meeting, which will be held November 7, 2019.

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.

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WEST VALLEY
SOLID WASTE MANAGEMENT
AUTHORITY

AGENDA REPORT

Date: November 7, 2019
To: West Valley Solid Waste Management Authority Board
From: Executive Director
Subject: **YTD Financial Report**

RECOMMENDED ACTION

Accept report on the Authority's FY 2019-20 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 September for FY 2019-20. With 25% of the fiscal year passed, the report shows that the Authority expended \$114,659 or 17% of the approved FY 2019-20 budget.

First quarter expenditures for professional services and legal fees were posted after September 30th and will show up on next quarters YTD financial report.

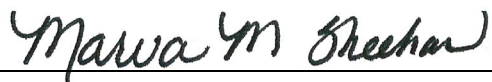
It has been the Board's policy, adopted February 2011, to maintain a fund reserve of \$200,000 with \$100,000 designated as an operating reserve and \$100,000 designated as a rate stabilization reserve.

FISCAL IMPACT

None

DOCUMENTS ATTACHED

Statement of Revenues, Expenditures, and Changes in Fund Balance - Budget and Actual September 30, 2019.



Marva M. Sheehan
Executive Director

West Valley Solid Waste Management Authority
Statement of Revenues, Expenditures, and
Changes in Fund Balance - Budget and Actual
September 30, 2019

Acct #	Description	JPA Budget FY 2019-20	Year to Date Actual	Balance	YTD %
<u>Revenues</u>					
4410	Interest	\$ -	\$ -	\$ -	N/A
4431	Unrealized Gains/Losses	\$ -	\$ -	-	N/A
4970	City of Campbell	42,681	-	42,681	0%
4970	Town of Los Gatos	30,590	30,590	-	100%
4970	City of Monte Sereno	3,629	3,629	-	100%
4970	City of Saratoga	31,424	31,424	-	100%
4975	Franchise Agreement WVC&R	450,000	112,500	337,500	25%
4965	Other	(1)	-	(1)	N/A
	Total Revenues	<u>\$ 558,323</u>	<u>\$ 178,143</u>	<u>\$ 380,180</u>	<u>32%</u>
<u>Expenditures:</u>					
Services and Supplies:					
7424	Office Expense	\$ 500	\$ -	\$ 500	0%
7427	Special Departmental Exp. (Legal Services)	17,344	-	17,344	0%
7430	Prof. & Special Services (Executive Director)	158,630	-	158,630	0%
7430	Prof. & Special Services (Other)	5,000	-	5,000	0%
7432	Other Contractual Services (Countywide Support)	1,000	-	1,000	0%
7432	Other Contractual Services (Website Administration)	1,149	-	1,149	0%
7432	Other Contractual Services (Audit Svcs.)	6,019	-	6,019	0%
7433	Insurance (Liability)	2,667	2,159	508	81%
7435	Travel/Conf. & Meetings	4,000	-	4,000	0%
7438	Other Charges (Accounting & Bookkeeping)	9,145	-	9,145	0%
7675	JPA Solid Waste Distribution	450,000	112,500	337,500	25%
	Total Expenditures	<u>\$ 655,454</u>	<u>\$ 114,659</u>	<u>\$ 540,795</u>	<u>17%</u>
	Excess (deficiency) of revenues over (under) expenditures	(97,131)	63,484	(33,647)	
	Beginning Fund Balance 7/1/19 (Preliminary)	\$ 297,131	\$ 310,165		
	Ending Fund Balance	<u>\$ 200,000</u>	<u>\$ 373,649</u>		

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WEST VALLEY SOLID WASTE MANAGEMENT AUTHORITY

Calendar of Future Agenda Items

February 6, 2020 Meeting

- Elect new officers
- Review of Collection and Disposal contracts
- Accept Audited Financial Statements

May 7, 2020 Meeting

- Board meeting schedule
- Ratify Guadalupe Landfill disposal contractual rate adjustment
- Ratify WVC&R contractual collection rate adjustment
- Approve Authority budget
- Review Executive Director and Authority Counsel contracts

September 3, 2020 Meeting

- Receive and file annual CalRecycle Annual Reports

November 5, 2019 Meeting

- Closed Session – annual evaluations of Authority Attorney and Executive Director
- Consider a report on WVC&R's prior Fiscal Year Complaints/Liquidated Damages

Recurring Meeting Agenda Items

- Approval of prior meeting minutes
- Receive and file the Executive Director financial report
- Regulatory and program updates