

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

SPECIAL MEETING AGENDA

December 3, 2013

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

5:00 p.m.

CALL TO ORDER

ROLL CALL

ORAL COMMUNICATIONS FROM THE PUBLIC

WRITTEN COMMUNICATIONS

None.

NEW BUSINESS

1. Consider “The Agreement Between West Valley Solid Waste Management Authority and West Valley Collection & Recycling, LLC For The Collection of Solid Waste, Recyclable Materials, Green Waste, And Construction and Demolition Debris, The Transportation Of Such Materials To Appropriate Places Of Processing, Recycling, Composting And/Or Disposal, And The Processing Of Recyclable Materials And Food Scraps” and approve Resolution 2013-06 directing the Chair to execute the Agreement.

PUBLIC HEARINGS

None

CONSENT CALENDAR

None

BOARD MEMBER REPORTS

ADJOURNMENT

Next Regular Meeting: February 6, 2014, 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: December 3, 2013

To: West Valley Solid Waste Management Authority Board

From: Executive Director

Subject: Agreement with West Valley Collection & Recycling, LLC

RECOMMENDED ACTION

Approve and authorize the chairperson to execute “The Agreement Between West Valley Solid Waste Management Authority And West Valley Collection & Recycling, LLC For The Collection of Solid Waste, Recyclable Materials, Green Waste, And Construction and Demolition Debris, The Transportation Of Such Materials To Appropriate Places Of Processing, Recycling, Composting And/Or Disposal, And The Processing Of Recyclable Materials And Food Scraps”.

DISCUSSION

At the October 23, 2013 Meeting, Robert Hilton, HF&H Consultants, LLC (HF&H) presented an update of the WVC&R contract negotiations and distributed: 1) a summary of the significant differences between the proposed agreement and the existing agreement; and, 2) a copy of the proposed new agreement for review and comment by the Board and staff.

The Board directed HF&H to complete the sole source negotiations of a new Agreement with WVC&R, finalize the agreement and attachments and bring the final agreement and exhibits to the December meeting for Board approval.

HF&H received and incorporated comments from the staff, no specific changes were suggested by Board Members, and worked with WVC&R to finalize the agreement and attachments. These are presented to the Board and it is recommended that the Board approve and the Chairperson execute the agreement.

The new agreement provides the West Valley Solid Waste Management Authority, its Member Agencies, residents and businesses several significant benefits, including those described below:

- A ten year term ending February 28, 2024, avoiding the disruption to customers that would result from changing franchisees.

- The expansion of the recyclable materials collected curbside (various metals, certain e-waste materials, fibers, plastic and glass), which should increase diversion from landfill disposal of these materials.
- The addition of a second recycling coordinator for two years, to increase outreach to schools and commercial customers.
- Replacement of existing collection vehicles with new compressed natural gas vehicles, to reduce Greenhouse Gas and particulate emissions.
- Addition of specific provisions related to driver training and reporting of litter, to comply with stormwater discharge permit (Zero Litter) requirements.
- Addition of a process to ensure WVC&R addresses chronic customer complaints, to facilitate the resolution of such complaints.
- A floor and cap to annual rate adjustments related to collection services (1.5% and 5% respectively), to provide rate stability.
- The payment of \$450,000 annually (\$4,500,000 over the term of the agreement) to the Authority for uses including but not limited to: 1) rate stabilization; 2) additional services desired by the Member agencies, their residents and businesses; and, 3) implementation of programs to comply with future regulatory changes.

During the course of the discussions, two matters were identified that will be addressed during the next rate setting process:

- The Board would like the rates charged customers for temporary roll-off box service to be reduced in response to customer complaints regarding such rates. The Executive Director will work with WVC&R to propose ratification of a reduction to these rates and recommend ratification of adjustment to other rates to ensure WVC&R is compensated for its services in accordance with the agreement. This will be presented to the Board at its May 2014 meeting (when rates are next adjusted).
- The Board would like to receive a report on the planned specific activities of the outreach coordinators and have the opportunity to provide direction on such activities, in order that they are assured of the effectiveness.

FISCAL IMPACT

\$450,000 annual payment to the Authority

DOCUMENTS ATTACHED

New Collection Agreement (with Exhibits)
Resolution 2013-06



Marva M. Sheehan
Executive Director

RESOLUTION NO. 2013-06

**RESOLUTION OF THE BOARD OF DIRECTORS OF
THE WEST VALLEY SOLID WASTE MANAGEMENT AUTHORITY APPROVING THE
AMENDED AND RESTATED AGREEMENT BETWEEN WEST VALLEY SOLID WASTE
MANAGEMENT AUTHORITY AND WEST VALLEY COLLECTION & RECYCLING, LLC
FOR THE COLLECTION OF SOLID WASTE, RECYCLABLE MATERIALS, GREEN
WASTE, AND CONSTRUCTION AND DEMOLITION DEBRIS, THE
TRANSPORTATION OF SUCH MATERIALS TO APPROPRIATE PLACES OF
PROCESSING, RECYCLING, COMPOSTING AND/OR DISPOSAL, AND THE
PROCESSING OF RECYCLABLE MATERIALS AND FOOD SCRAPS**

**BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE WEST VALLEY
SOLID WASTE MANAGEMENT AUTHORITY** that the document entitled "THE
AGREEMENT BETWEEN WEST VALLEY SOLID WASTE MANAGEMENT AUTHORITY
AND WEST VALLEY COLLECTION & RECYCLING, LLC FOR THE COLLECTION OF
SOLID WASTE, RECYCLABLE MATERIALS, GREEN WASTE, AND CONSTRUCTION
AND DEMOLITION DEBRIS, THE TRANSPORTATION OF SUCH MATERIALS TO
APPROPRIATE PLACES OF PROCESSING, RECYCLING, COMPOSTING AND/OR
DISPOSAL, AND THE PROCESSING OF RECYCLABLE MATERIALS AND FOOD
SCRAPS" is hereby approved and the Chairperson is hereby authorized to execute same.

This resolution was passed and adopted by the Board of Directors of the West Valley Solid Waste Management Authority at a specially scheduled meeting on the 3rd day of December, 2013, by the following vote:

AYES:
NOES:
ABSENT:

Approved: _____
Howard Miller, Chairperson

Attest: _____
Marva Sheehan, Executive Director