

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

May 7, 2015

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. Consider an update on the potential uses of the funds received from WVC&R from the FY13-14 liquidated damages assessment.

NEW BUSINESS

2. Consider Board Meeting Schedule for FY 2015/2016.
3. Accept report for the Executive Director and Authority Counsel contracts.
4. Approve Resolution 2015-01 adopting the FY 2015-16 budget and work plan.

PUBLIC HEARINGS

5. Approve Resolution 2015-02 ratifying the Guadalupe Landfill contractual disposal proprietary rate increase of 1.2% effective July 1, 2015.
6. Approve Resolution 2015-03 ratifying the West Valley Collection & Recycling contractual collection rate increase of 2.14% effective July 1, 2015.

CONSENT CALENDAR

7. Receive and file the Executive Director financial report for the 9 months ended March 31, 2015.
8. Approve Minutes of the February 5, 2015 Board Meeting.

FUTURE AGENDA ITEMS

BOARD MEMBER REPORTS

ADJOURNMENT

Next Regular Meeting: September 3, 2015, 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: May 7, 2015
To: West Valley Solid Waste Management Authority Board
From: Executive Director
Subject: **Update on Usage of Liquidated Damages from WVC&R**

RECOMMENDED ACTION

Consider the report on usage of the liquidated damages from West Valley Collection & Recycling (WVC&R) for FY 13-14.

DISCUSSION

Background

At its September meeting, the Board elected to assess \$7,200 of liquidated damages related to double misses during FY 13-14. At the same meeting, the Board directed staff to work with WVC&R on the possibility of purchasing traffic calming stickers for residential carts.

At the February meeting, the use of funding from the liquidated damages was further discussed, including additional discussion on the purchase of traffic calming stickers. The Board directed staff to do additional research on uses for the funds and provide a list of alternatives, including keeping for future authority activities.

The following table shows the history of liquidated damages and the use of the funds:

Table 1
History of Liquidated Damages

Fiscal Year	Liquidated Damages	Funds Usage
2000-01	\$3,100	Donated to Red Cross 9/11 fund
2001-02	\$2,200	Donated to the "Save Money and the Environment Too" campaign
2002-03	\$1,900	Donated to the "Save Money and the Environment Too" campaign
2003-04	\$2,550	Retained for use by the Authority
2004-05	\$1,500	Retained for use by the Authority
2005-06	\$2,400	Retained for use by the Authority
2006-07	None Assessed	
2007-08	\$15,500	Retained for use by the Authority
2008-09	None Assessed	
2009-10	None Assessed	
2010-11	None Assessed	
2011-12	None Assessed	
2012-13	None Assessed	
2013-2014	\$7,200	To be Determined

Alternative Uses

Create a Grant

In 2010, the Board established a \$2,500 grant for public outreach and recycling proposals that would help in reducing and/or recycling materials and diverting them from landfill disposal. The KSAR15, a local TV station, submitted an application to produce a video. The Board approved the application. If the Board wishes to pursue this option, proposals could be solicited from various organizations in the county focusing on the Authority area.

Donate to Local Schools or Charitable Cause

Another potential use would be to donate all or some of the liquidated damages to local schools for a special recycling activity or a local or national charity or non-profit organization. For example, in previous years, the Authority has donated liquidated

damages to the Red Cross (in connection with the 9/11 attacks) and to a local non-profit media campaign to promote local source reduction and recycling efforts. If the Board wishes to pursue this option, proposals could be solicited from local school districts and non-profit or charitable organizations.

Fund Authority Operations

The liquidated damages could be retained to offset Authority expenses, thereby reducing the Member Agency assessments for the coming year. This use benefits all residents proportionately, because the assessments are based on Member Agency population. For the last several years, this has been the Board's practice.

Recommendation

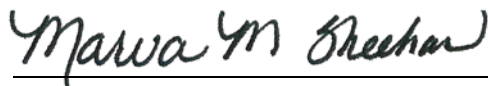
Based on discussions with staff of the Member Agencies, I recommend that the liquidated damages be retained to offset Authority expenses.

FISCAL IMPACT

The Authority is to receive \$7,200 from WVC&R. This is an unbudgeted item.

DOCUMENTS ATTACHED

None



Marva M. Sheehan
Executive Director

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WEST VALLEY
SOLID WASTE MANAGEMENT
AUTHORITY

AGENDA REPORT

Date: May 7, 2015
To: West Valley Solid Waste Management Authority Board
From: Executive Director
Subject: **Board Meeting Calendar**

RECOMMENDED ACTION

Consider Board Meeting Schedule for the FY 2015/16.

DISCUSSION

FY 2015/16 Board Meeting Schedule

The attached schedule reflects the regularly scheduled meetings for 2015/16.

Certain items must be addressed at specific meetings during the year due to procedural or contractual commitments. For example, the Authority must ratify the collection rates no later than the May meeting in order for the rates to be effective July 1st in accordance with the agreement with WVC&R. Also, new Board officers must be elected at the first meeting of the calendar year. These items are shown in bold type in the attached schedule. The schedule for other items is more flexible; these are shown in normal type.

The attached schedule is meant to be a guide, not a rigid schedule. Regular meetings may be cancelled and special meetings may be scheduled as needed. Board Members, the Authority Attorney, or the Executive Director may add agenda items, accelerate or delay items, or delete items from the schedule. Agendas will continue to be published prior to each meeting with the items to be discussed at that particular meeting.

Recommended Action

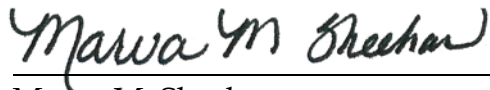
The Board should review the attached schedule and provide feedback to staff regarding needed changes to the proposed schedule.

DOCUMENTS ATTACHED

Proposed Schedule of Meetings

FISCAL IMPACT

None



Marva M. Sheehan
Executive Director

**West Valley Solid Waste Management Authority
FY 2015/16 Proposed Schedule of Meetings**

Meeting Date	Discussion Items
September 3, 2015	<ul style="list-style-type: none"> • Annual AB 939 Report • Schedule annual Authority Attorney and Executive Director performance review • Consider prior fiscal year complaints/liquidated damages
November 5, 2015	<ul style="list-style-type: none"> • Receive report on WVC&R liquidated damages for prior fiscal year • Executive Director/ Authority Counsel performance evaluation
February 4, 2016	<ul style="list-style-type: none"> • Elect new officers • Review collection and disposal contracts
May 5, 2016	<ul style="list-style-type: none"> • Board meeting schedule • Ratify collection and disposal rates • Review Authority Attorney and Executive Director contracts • Ratify next fiscal year budget

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WEST VALLEY
SOLID WASTE MANAGEMENT
AUTHORITY

AGENDA REPORT

Date: May 7, 2015

To: West Valley Solid Waste Management Authority Board

From: Executive Director

Subject: **Review of Executive Director and Authority Attorney Contracts**

RECOMMENDED ACTION

Accept report on key points of the Executive Director and Authority Attorney contracts

DISCUSSION

Executive Director Contract

- Company
 - HF&H Consultants, LLC
 - Marva Sheehan, named Executive Director
 - Robert Hilton serves in her absence
- Term
 - Effective Date - September 5, 2013
 - Continues until terminated by either party with a 15 days written notice of termination
- Scope of Services
 - See attached “Exhibit A”
- Annual Contract Amount
 - Determined as part of the Authority’s annual Budget process
 - FY 14-15 \$79,610 (approved by the Board on 5/1/14)
 - FY 15-16 \$81,736
 - Paid based on time and materials in accordance with the Scope of Services not to exceed the approved budget amount without approval from the Board.

Authority Attorney Contract

- Company
 - Logan and Powell, LLP
 - Kirsten Powell, named Authority Attorney
 - Assistant Authority Attorney shall be designated by Authority Attorney
- Term
 - Effective Date - April 2, 1998; 1st Amendment - June 17, 1999; 2nd Amendment - March 16, 2000; and 3rd Amendment - March 15, 2001
 - Continues until terminated by either party
- Scope of Services
 - See attached "Exhibit B"
- Annual Contract Amount
 - Determined as part of the Authority's annual Budget process
 - FY 14-15 \$8,500 (approved by the Board on 5/1/14)
 - FY 15-16 \$8,727
 - Paid based on time and materials in accordance with the Scope of Services not to exceed the approved budget amount without approval from the Board.

FISCAL IMPACT

\$90,463 for FY 2015-2016

DOCUMENTS ATTACHED

Exhibit A - Executive Director Scope of Services

Exhibit B - Authority Attorney



Marva M. Sheehan
Executive Director

SCOPE OF SERVICES

The tasks that HF&H will perform include, but are not limited to, the following:

Task 1: Contract Administration

- 1a Verify on an annual basis that the rate adjustment calculations are prepared by WVC&R and Guadalupe in accordance with the agreements.
- 1b Ensure that WVC&R and Guadalupe comply with requirements to furnish certificates of insurance and performance bonds in accordance with the agreements.
- 1c Review the companies' operational performance and calculate the amount of liquidated damages, if any, under the agreements.
- 1d Manage the revision of these contracts for implementation of new programs or recyclable materials or other changes as directed by the Board.
- 1e Work with the companies to respond to complaints and inquiries from Member Agencies' residents and businesses regarding services provided under the agreements.
- 1f Enforce the collection franchise agreement provisions and respond to violations (e.g., rouge dumpsters).
- 1g Support, either directly or through the management of a procurement consultant, any future solid waste collection procurement contract.

Task 2: AB 939 and Other Regulatory Compliance

- 2a Prepare and submit the Member Agencies' annual applications for AB 2020 beverage container recycling funds distributed by the Department of Conservation.
- 2b Provide periodic reports on the status of federal and state legislation impacting the Member Agencies' refuse and recycling programs at regularly scheduled Board Meetings. Additionally, we will provide information on trends in the industry.
- 2c Represent the Authority at County TAC meetings and other relevant regional and statewide meetings as needed and as directed by the Member Agencies' staff and/or Board.
- 2d Prepare and submit miscellaneous reports requested by local agencies related to the Authority's solid waste and recycling collection and disposal programs. These include, for example, Santa Clara County's recycling hotline and HHW program and collection rate surveys.
- 2e Prepare and submit the Member Agencies' Annual Reports to CalRecycle on behalf of each Member Agency. This includes accompanying the CalRecycle representative on the site visits in the Authority jurisdictions. Additionally, we will respond to CalRecycle questions from the annual reports and site visits.

Task 3: Facilitate Board Meetings

- 3a Prepare for and conduct the quarterly meeting of the Board. This task includes preparing the public notices, agendas, agenda reports, resolutions, Board Member agenda packets, public meeting binders, and meeting minutes. In addition, prepare for and conduct “agency review” meetings with Member Agency staff prior to regularly scheduled Board meetings or special Board meetings.
- 3b Prepare a financial report of the Authority’s activities for each quarter, showing actual expenditures against the approved budget. These reports are presented at the next regularly scheduled Board Meeting following the close of each quarter.
- 3c Present status reports on each of the Authority projects or activities at regularly scheduled Board meetings as needed.
- 3d Follow-up on action items from the Board meeting, including maintaining a record of all Authority actions.

Task 4: Authority Administration

- 4a Conduct conference calls with the Member Agencies’ staff on an as needed basis (at least quarterly) to report on issues and receive direction from the staff between Board Meetings, including special Board meetings. This task includes preparing the agenda and agenda materials. There are times when topics require face-to-face meetings. We will discuss the options with the Member Agencies’ staff and schedule the appropriate time and place for the meeting.
- 4b Respond to inquiries from Member Agencies’ residents and businesses regarding the Authority’s solid waste and recycling services in a timely manner.
- 4c Manage the procurement of legal services, liability insurance and other supplies and services required for the conduct of the Authority’s business.
- 4d Manage the submission of Fair Political Practices Commission forms by the Executive Director, Legal Counsel, and Board Members.
- 4e Prepare the annual Authority budget for approval by the Board.
- 4f Prepare and provide orientation materials, including copies of the collection and disposal agreements, Rules of Conduct, and Joint Powers Authority agreement, to new Board members as needed.
- 4g Meet with the Member Agencies’ Councils as requested for Council workshops to review changes to solid waste and recycling collection programs.
- 4h Work with the City of Campbell auditors to complete the annual financial audit of the Authority’s financial statements. This includes preparing the financial statements, reviewing the footnotes, preparing the management letter, and responding to inquiries from the auditors.
- 4i Lead in the development and maintenance of an Authority website. We collaborate with WVC&R and the Member Agencies’ staff to develop the website.

- 4j Review public education material provided by WVC&R for proper content prior to final publication.

Summary of Executive Director Budget for FY15-16

Task Number	Task Description	Total Hours	Proposed Cost
1	Contract Administration	58	\$ 13,300
2	AB939 and Other Regulatory Compliance	115	\$ 22,965
3	Facilitate Board Meetings	128	\$ 25,190
4	JPA Administration	80	\$ 16,265
Engagement Mgt		19	\$ 3,365
Total Project		400	\$ 81,085
Out of Pocket Expenses			\$ 651
Total Budget			\$ 81,736

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SCOPE OF SERVICES

The tasks that Logan & Powell will perform include, but are not limited to, the following:

- A. Attend Authority quarterly meetings and advise the Executive Director and the Board on issues and procedures.
- B. Provide an annual update to the Board of procedural requirements like the Brown Act.
- C. Advise the Executive Director and the Board on the powers of the Authority to act.
- D. Interpret contracts and other legal documents.
- E. Advise the Authority of any legislation relative to the collection, disposal and recycling of solid waste. This would include any new developments in the applicability or interpretation of Proposition 218.
- F. Monitor activities of any Special Counsel directly retained by the Authority.
- G. Contract negotiation and revisions if the Authority determines to amend the recycling and yard waste agreements to comply with the collection and disposal agreements.
- H. Review the legality of any cost adjustment proposals by either WVC&R or Guadalupe.
- I. Prepare any contracts necessary for the operations of the Authority.
- J. Research legal issues as requested by the Executive Director or by a majority vote of the Board.
- K. Representing the Authority in the administration of all claims and actions filed against it, or filing of claims and/or actions on behalf of the Authority as deemed appropriate by the Board.

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WEST VALLEY
SOLID WASTE MANAGEMENT
AUTHORITY

AGENDA REPORT

Date: May 7, 2015

To: West Valley Solid Waste Management Authority Board

From: Executive Director

Subject: **FY 2015-16 Budget**

RECOMMENDED ACTION

Approve Resolution 2015-01 adopting the FY 2015-16 budget.

DISCUSSION

Background

Article 5 of the Joint Powers Agreement defines how the Authority's activities are to be funded. Paragraph B states that the Authority must adopt a budget for each fiscal year beginning on July 1 and ending on June 30 of the following calendar year. Paragraph A specifies that the requisite funds are to be allocated among the Member Agencies in amounts equal to each Member Agency's percentage share of the total population of all Member Agencies. The budget is being presented now so that the Member Agencies have time to incorporate the assessment amounts in their Agency budgets. In 2012, the Agencies elected to include their respective assessed amounts in the collection rates.

FY 2015-16 Proposed Budget

Attachment 1 shows the actual results for the previous five years by major expenditure category, the approved FY 2014-15 budget, and the proposed FY 2015-16 budget. In total, the proposed FY 2015-16 budget of \$117,480 (net of the WVC&R Annual Payment expenditure of \$450,000) is approximately \$1,200 more than the FY 2014-15 budget.

Executive Director - This expenditure is for services provided by HF&H Consultants, LLC including management of the Authority's refuse, recycling, yard waste, and disposal contracts; management of the Authority's efforts to achieve its AB 939 targets; preparation for and facilitation of the Authority Board meetings; and, other

administrative tasks assigned by the Board. The budgeted amount has been increased by 2.67%

Legal Services – This expenditure is for the services of Logan and Powell, LLP to provide advice on Authority legal matters, including the conduct of meetings in accordance with the provisions of the Brown Act; to perform legal research as needed; to prepare legal notices as needed; and, assist with other legal matters as directed by the Board. The budgeted amount has been increased by 2.67%.

WVC&R Annual Payment - As part of the new franchise agreement with WVC&R that began March 1, 2014, the Authority will receive a payment of \$450,000 annually (\$4,500,000 over the term of the agreement). Consistent with FY14-15, the payment will be disbursed to each Member Agency proportionally based on population.

Accounting and Bookkeeping – This expenditure is for the services of the City of Campbell's Finance Department staff for accounting and bookkeeping support. The budgeted amount has been increased by 2.67%

Liability Insurance – This expenditure is for generally liability and public officials' errors and omissions insurance. This amount reflects an expected 2.67% increase in the premium for FY 2015-16 from FY 2014-15.

Countywide Program Support – This expenditure is to provide program funding for county or regional activities that meet the Authority's objectives. For example, during the last several years, the Authority contributed towards the "Save Money and the Environment Too" and "Buy Recycled Paper" media campaigns.

Mileage and Meeting Expense – This expenditure is for Board Member attendance at relevant industry conferences during the year. The budgeted amount is consistent with prior year and is to be used to provide for increased attendance by Board Members to allow them to become more familiar with solid waste issues as the end of the WVC&R contract term approaches.

Website Administration – This expenditure is for finalizing and maintaining the Authority's website. The budget includes the annual "registration" fees as well as other services required to maintain the website.

Professional Services – This expenditure is for other professional services or studies (e.g., engineering consulting services and/or litigation services) authorized by the Board. The budgeted amount is the same as prior years' budgets.

Audit Services – This expenditure is for audit services required by Article 5.B of the Joint Powers Agreement. The budgeted amount was increased by 2.67% for FY 2015-16 from FY 2014-15.

Fund Balance

The Board established a policy to maintain in its fund balance an operating reserve of \$100,000 and a rate stabilization reserve of \$100,000. The operating reserve is approximately 0.4% of the total revenue collected by WVC&R from Authority residents and businesses. The projected fund balance is \$200,000 in accordance with the Board's policy.

Projected Member Agency Assessments

The following table shows the Member Agencies' projected five-year assessments under various scenarios related to the extension of the current agreement:

Projected Five- Year Assessment by Member Agency

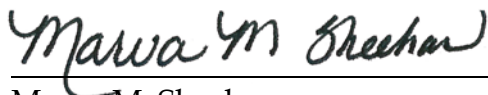
Agency	Approved Fiscal Year 2014-15	Proposed Fiscal Year 2015-16	Proposed Fiscal Year 2016-17	Proposed Fiscal Year 2017-18	Proposed Fiscal Year 2018-19	Proposed Fiscal Year 2019-20
Campbell	\$ 45,108	\$ 45,303	\$ 46,404	\$ 47,536	\$ 48,697	\$ 49,889
Los Gatos	\$ 33,769	\$ 33,914	\$ 34,739	\$ 35,586	\$ 36,455	\$ 37,348
Monte Sereno	\$ 3,818	\$ 3,835	\$ 3,928	\$ 4,024	\$ 4,122	\$ 4,223
Saratoga	\$ 34,281	\$ 34,429	\$ 35,266	\$ 36,126	\$ 37,008	\$ 37,915

DOCUMENTS ATTACHED

Resolution 2015-01
FY 2015-16 Proposed Budget

FISCAL IMPACT

The attached FY 2015-16 proposed budget shows the expected assessment for each Member Agency that result from the proposed budget.



Marva M. Sheehan
Executive Director

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RESOLUTION NO. 2015-01

RESOLUTION OF THE BOARD OF DIRECTORS OF THE WEST VALLEY SOLID
WASTE MANAGEMENT AUTHORITY APPROVING THE BUDGET FOR FISCAL
YEAR 2015-16

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE WEST VALLEY
SOLID WASTE MANAGEMENT AUTHORITY that the document entitled "Fiscal Year
2015-16 Budget" a copy of which is attached hereto and incorporated herein by
reference is hereby approved.

This resolution was passed and adopted by the Board of Directors of the West
Valley Solid Waste Management Authority at a regularly scheduled meeting on the 7th
day of May 2015, by the following vote:

AYES:
NOES:
ABSENT:

Approved: _____
Steve Leonardis, Chairperson

Attest: _____
Marva M. Sheehan, Executive Director

WEST VALLEY
SOLID WASTE MANAGEMENT
AUTHORITY

AGENDA REPORT

Date: May 7, 2015
To: West Valley Solid Waste Management Authority Board
From: Executive Director
Subject: **Guadalupe Landfill Disposal Rate Increase**

RECOMMENDED ACTION

Approve Resolution 2015-02 ratifying the Guadalupe Landfill contractual disposal rate increase effective July 1, 2015

DISCUSSION

Background

On January 1, 2006, the Waste Disposal, Organic Waste and Construction and Demolition Debris Processing Agreement between Guadalupe Rubbish and Disposal Company, Inc. (Waste Management) and the West Valley Solid Waste Management Authority established rates for the disposal of solid waste and the processing of yard waste and construction and demolition debris for the initial period January 1, 2006, through June 30, 2007. The agreement calls for CPI-based adjustments to be made effective July 1 of each year.

Proposed Adjustment

On April 21, 2015, Waste Management presented its calculation of the allowed adjustment based on the December 2013 to December 2014 change in the Consumer Price Index of 2.67%. The overall disposal or processing rates are composed of two elements: the proprietary rate; and, per-ton governmental fees. The agreement allows an adjustment to the proprietary disposal rate, yard waste processing rate, and C&D processing rate equal to 90% of the change in the CPI, or 2.40%. Table 1 compares the July 1, 2014, proprietary rates to the July 1, 2015, proprietary rates.

Table 1
Guadalupe Landfill Proprietary Rates

Rate	July 1, 2014	July 1, 2015	% Change
Disposal	\$24.19	\$24.77	2.40%
Yard Debris	22.03	22.56	2.40%
Construction & Demolition	43.52	44.57	2.40%

The current and anticipated governmental fee portion of the disposal rate is shown in Table 2.

Table 2
Guadalupe Landfill Governmental Fees

Fee	July 1, 2014	July 1, 2015	% Change
State AB 1220 Fee	\$1.40	\$1.40	0.00%
SCC AB 939 Fee	4.10	4.10	0.00%
SCC Solid Waste Planning Fee	0.78	0.78	0.00%
City of SJ Business Tax	13.00	13.00	0.00%
City of SJ SW Enforcement Fee	1.31	1.27	-3.05%
Total Fees	\$20.59	\$20.55	-0.19%

Recommendation

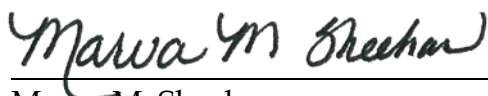
I have reviewed Waste Management's calculation of the contractual rate adjustment and find that it was calculated in accordance with the terms of the agreement. I recommend that the Board approve Resolution 2015-02 ratifying the Guadalupe Landfill contractual disposal rate increase effective July 1, 2015.

DOCUMENTS ATTACHED

Resolution 2015-02

FISCAL IMPACT

The disposal rate increases are reflected in the proposed rates calculated by WVC&R as shown in Agenda Item #6.



Marva M. Sheehan
Executive Director

RESOLUTION NO. 2015-02

**RESOLUTION OF THE BOARD OF DIRECTORS OF
THE WEST VALLEY SOLID WASTE MANAGEMENT AUTHORITY
RATIFYING FY 2015-16 RATES FOR THE DISPOSAL OF SOLID WASTE AND
THE PROCESSING OF YARD WASTE AND CONSTRUCTION AND
DEMOLITION DEBRIS**

WHEREAS, the West Valley Solid Waste Management Authority ("Authority") is an agency created pursuant to Government Code section 6500 et seq. to manage and oversee the collection, disposal and recycling of solid waste originating in the Cities of Campbell, Monte Sereno, Saratoga and the Town of Los Gatos ("Member Agencies"); and

WHEREAS, the Authority entered into the Waste Disposal, Organic Waste and Construction and Demolition Debris Processing Agreement between Guadalupe Rubbish and Disposal Company, Inc. (The "Company") and the West Valley Solid Waste Management Authority, which established rates for the disposal of solid waste and the processing of yard waste and construction and demolition debris from January 1, 2006, through June 30, 2007; and

WHEREAS, the Agreement provides for the rates to be increased by the Consumers Price Index on July 1 of each year; and

WHEREAS, the Companies submitted the rate adjustment calculations in accordance with the agreements for Fiscal Year 15-16; and

WHEREAS, the Executive Director has reviewed the calculations and determined they are consistent with the terms of the Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE WEST VALLEY SOLID WASTE MANAGEMENT AUTHORITY that:

1. The Authority finds that the rates contained in the attached rate schedules have been calculated in accordance with the Agreement.
2. The attached rates are hereby ratified and effective July 1, 2015.

This resolution was passed and adopted by the Board of Directors of the

West Valley Solid Waste Management Authority at a regular scheduled meeting on the 7th day of May, 2015, by the following vote:

AYES:
NOES:
ABSENT:

Approved: _____
Steve Leonardis, Chairperson

Attest: _____
Marva M. Sheehan, Executive Director

**FY 2015-16 RATES FOR THE DISPOSAL OF SOLID WASTE AND THE
PROCESSING OF YARD WASTE AND CONSTRUCTION AND DEMOLITION
DEBRIS**

Guadalupe Landfill Proprietary Rates per Ton

Rate	FY 15 - 16
Disposal	\$24.77
Yard Debris	22.56
Construction & Demolition	44.57

Guadalupe Landfill Governmental Fees per Ton

Fee	FY 15-16
State AB 1220 Fee	\$1.40
SCC AB 939 Fee	4.10
SCC Solid Waste Planning Fee	0.78
City of SJ Business Tax	13.00
City of SJ SW Enforcement Fee	1.27
Total Fees	\$20.55

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WEST VALLEY
SOLID WASTE MANAGEMENT
AUTHORITY

AGENDA REPORT

Date: May 7, 2015
To: West Valley Solid Waste Management Authority Board
From: Executive Director
Subject: **Proposed Rates Effective July 1, 2015**

RECOMMENDED ACTION

Approve Resolution 2015-03 ratifying the West Valley Collection & Recycling, LLC (WVC&R) contractual collection rate increase effective July 1, 2015.

DISCUSSION

Background

At its meeting on May 1, 2014, the Board ratified rates for basic collection services under its contract with WVC&R effective July 1, 2014. The ratified residential rates are shown in Table 1.

Table 1
Residential Collection Rates
Effective July 1, 2014

	Campbell	Los Gatos	Monte Sereno	Saratoga
20-gallon	\$ 18.37	\$ 17.78	\$ 21.50	\$ 19.30
35-gallon	\$ 23.97	\$ 23.29	\$ 28.05	\$ 25.18
65-gallon	\$ 47.95	\$ 46.59	\$ 56.10	\$ 50.36
95-gallon	\$ 71.92	\$ 69.88	\$ 84.16	\$ 75.53

Contractual Rate Adjustment

The contract calls for CPI-based adjustments to be made effective July 1 of each year. On February 26, 2015, WVC&R presented its calculation of the allowed adjustment based on the December 2013 to December 2014 change in the Consumer Price Index of 2.67%. The agreement allows an adjustment to the collection rates equal to 80% of the change in the CPI, or 2.14%. In addition, there are other factors that impact the rates, as discussed below.

Disposal Rate Adjustment

As discussed in Agenda Item #5, the proprietary rate portion of the disposal rate is \$24.19 and is increasing by 2.40% per ton effective July 1, 2015 to \$24.77. The current total governmental fees charged on each ton disposed is \$20.55. The total disposal rate changed from \$44.78 to \$45.32, or 1.2%, in FY 15/16. Disposal fees are considered a pass-through expense under the collection contract. Thus, the collection rates must be adjusted for the approved disposal rate.

Street Sweeping and Sanitation, HHW, and JPA fees Adjustments

At its May 3, 2012 meeting, the Board discussed the inclusion of street sweeping and sanitation costs, HHW collection costs and the administrative costs of the Authority to the collection rates. Agency staff provided the current street sweeping and sanitation costs from the respective jurisdictions. The HHW fees were provided from the County of Santa Clara as part of the annual AB 939 and HHW agreement process.

Beginning in FY 2013-2014, the City of Campbell and the Town of Los Gatos elected to increase the costs to administer the Authority to include agency staff time and other related costs.

Beginning in FY 2014-2015, Town of Los Gatos and the City of Campbell have elected to include, as a part of the Street Sweeping fee, the costs of tree trimming along the agencies' streets (to prevent damage from WVC&R's trucks) of \$20,000 and \$10,000, respectively.

For FY 2015-2016, all four agencies have elected to adjust their HHW fees based on the data provided by the County of Santa Clara for FY 2015-2016. The City of Campbell has adjusted its street sweeping and sanitation costs by the change in CPI. The Town of Los Gatos has added fees to cover the maintenance of the trash capture devices for litter control for its stormwater. All four agencies adjusted the JPA administrative costs

based on the new JPA budget. Table 3 shows the additional costs for FY 2015-2016. The percentage increase does not include the 19% franchise fee. Therefore, franchise fees will not be paid on the additional agency fees.

Vehicle Impact Fee Adjustment

A vehicle impact fee on WVC&R to provide funds to mitigate the damage caused by heavy collection vehicles on the Member Agencies’ streets has been included in WVC&R’s calculation of FY 2015-2016 rates. The fees for the City of Campbell, the Town of Los Gatos and the City of Saratoga have been adjusted based on recent Vehicle Impact Studies. All three agencies are electing to phase-in the impact over the next few years. The City of Monte Sereno has elected to not collect the vehicle impact fee again this year. WVC&R allocated the increase in the vehicle impact fee across all lines of business.

**Table 2
 Summary of Additional Costs and Rate Impact
 Effective July 1, 2015**

	Campbell		Los Gatos		Monte Sereno		Saratoga	
	Costs	% Increase	Costs	% Increase	Costs	% Increase	Costs	% Increase
Proposed Rate Increase before Fee Increases		2.10%		2.30%		1.92%		2.60%
Street Sweeping	\$ 3,205	0.04%	\$ 34,273	0.50%				
HHW Fees	\$ 8,830	0.10%	\$ 12,936	0.20%	\$ 3,462	0.63%	\$ 2,684	0.06%
JPA Administrative Costs	\$ 1,008	0.01%	\$ 956	0.01%	\$18	nil	\$ 157	nil
Vehicle Impact Fee	\$ 100,000	1.15%	\$ 120,000	1.79%			\$ 155,656	3.11%
Subtotal	\$ 113,043		\$ 168,165		\$ 3,480		\$ 158,497	
Total		3.40%		4.80%		2.55%		5.77%

The following table summarizes the agency fees that are included in the rates. WVC&R collects the fees from the customers and remits the fees to each agency.

**Table 3
 Summary of Agency Fees**

		Campbell	Los Gatos	Monte Sereno	Saratoga
Street Sweeping	Current	\$120,000	\$160,000	\$0	\$80,000
	Proposed	\$123,205	\$194,273	\$0	\$80,000
HHW Fees	Current	\$18,789	\$43,540	\$6,985	\$50,000
	Proposed	\$27,618	\$56,477	\$10,447	\$52,684
JPA Administrative Costs	Current	\$75,096	\$63,759	\$3,817	\$34,272
	Proposed	\$76,104	\$64,715	\$3,835	\$34,429
Vehicle Impact Fee	Current	\$235,931	\$108,429	\$0	\$62,989
	Proposed	\$335,931	\$228,429	\$0	\$218,645

Franchise Fees

The attached rates reflect the approved franchise fee of 19%.

Total Rate Adjustment

Table 4 shows the calculated rates for a 35-gallon residential customer, including all of the relevant adjustments discussed above.

**Table 4
 35-gallon Cart Comparison
 Proposed vs. Current**

Jurisdiction	Current Rate	July 1, 2015 Proposed Rate	\$ Difference	% Difference
Campbell	\$23.97	\$24.79	\$0.82	3.40%
Los Gatos	\$23.29	\$24.41	\$1.12	4.80%
Monte Sereno	\$28.05	\$28.77	\$0.72	2.55%
Saratoga	\$25.18	\$26.63	\$1.45	5.77%

Exhibit 1, attached to this report, shows the rates for all service categories.

Recommendation

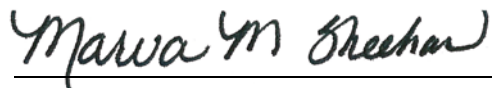
I recommend that the Board approve Resolution 2015-03 ratifying the calculated rates effective July 1, 2015.

DOCUMENTS ATTACHED

Exhibit 1 - Proposed Rates
Resolution 2015-03

FISCAL IMPACT

None



Marva M. Sheehan
Executive Director

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West Valley Collection & Recycling

West Valley Cities Rates

Rates Effective 7/1/2015

	Campbell	Los Gatos	Monte Sereno	Saratoga
Residential				
Regular:				
20-gallon	\$ 19.00	\$ 18.63	\$ 22.06	\$ 20.42
35-gallon	\$ 24.79	\$ 24.41	\$ 28.77	\$ 26.63
65-gallon	\$ 49.58	\$ 48.83	\$ 57.54	\$ 53.26
95-gallon	\$ 74.37	\$ 73.24	\$ 86.30	\$ 79.89
Sr. Citizen:				
20-gallon	\$ 12.67	\$ 18.45	\$ -	\$ -
35-gallon	\$ 16.53	\$ 23.65	\$ -	\$ -
Commercial				
Commercial-1.5 Yards				
1 p/u per week	\$ 123.93	\$ 141.92	\$ 169.24	\$ 175.06
2 p/u per week	\$ 249.63	\$ 285.94	\$ 340.93	\$ 352.78
3 p/u per week	\$ 375.33	\$ 429.95	\$ 512.63	\$ 530.50
4 p/u per week	\$ 501.03	\$ 573.96	\$ 684.33	\$ 708.22
5 p/u per week	\$ 626.73	\$ 717.98	\$ 856.02	\$ 885.94
6 p/u per week	\$ 752.44	\$ 861.99	\$ 1,027.72	\$ 1,063.66
Extra Dump	\$ 28.60	\$ 33.22	\$ 39.05	\$ 40.40
Saturday Dump	\$ 29.01	\$ 33.70	\$ 39.62	\$ 41.01
Commercial-2 Yards				
1 p/u per week	\$ 165.24	\$ 189.23	\$ 225.65	\$ 233.42
2 p/u per week	\$ 332.84	\$ 381.25	\$ 454.58	\$ 470.38
3 p/u per week	\$ 500.44	\$ 573.27	\$ 683.51	\$ 707.34
4 p/u per week	\$ 668.04	\$ 765.28	\$ 912.43	\$ 944.30
5 p/u per week	\$ 835.65	\$ 957.30	\$ 1,141.36	\$ 1,181.26
6 p/u per week	\$ 1,003.25	\$ 1,149.32	\$ 1,370.29	\$ 1,418.22
Extra Dump	\$ 38.13	\$ 44.29	\$ 52.07	\$ 53.87
Saturday Dump	\$ 38.68	\$ 44.94	\$ 52.83	\$ 54.68
Commercial-3 Yards				
1 p/u per week	\$ 247.86	\$ 283.85	\$ 338.48	\$ 350.13
2 p/u per week	\$ 499.26	\$ 571.87	\$ 681.87	\$ 705.57
3 p/u per week	\$ 750.66	\$ 859.90	\$ 1,025.26	\$ 1,061.01
4 p/u per week	\$ 1,002.07	\$ 1,147.92	\$ 1,368.65	\$ 1,416.45
5 p/u per week	\$ 1,253.47	\$ 1,435.95	\$ 1,712.04	\$ 1,771.89
6 p/u per week	\$ 1,504.87	\$ 1,723.98	\$ 2,055.44	\$ 2,127.33
Extra Dump	\$ 57.20	\$ 66.44	\$ 78.11	\$ 80.80
Saturday Dump	\$ 58.02	\$ 67.40	\$ 79.24	\$ 82.02
Commercial-4 Yards				
1 p/u per week	\$ 330.48	\$ 378.46	\$ 451.30	\$ 466.83
2 p/u per week	\$ 665.69	\$ 762.54	\$ 909.18	\$ 940.85
3 p/u per week	\$ 1,000.88	\$ 1,146.61	\$ 1,367.05	\$ 1,414.84
4 p/u per week	\$ 1,336.10	\$ 1,530.66	\$ 1,824.94	\$ 1,888.80
5 p/u per week	\$ 1,671.31	\$ 1,914.72	\$ 2,282.81	\$ 2,362.78
6 p/u per week	\$ 2,006.50	\$ 2,298.78	\$ 2,740.67	\$ 2,836.77
Extra Dump	\$ 76.26	\$ 88.59	\$ 104.15	\$ 107.74
Saturday Dump	\$ 77.36	\$ 89.87	\$ 105.67	\$ 109.37

West Valley Collection & Recycling

West Valley Cities Rates

Rates Effective 7/1/2015

	Campbell	Los Gatos	Monte Sereno	Saratoga
Commercial-6 Yards				
1 p/u per week	\$ 495.72	\$ 567.70	\$ 676.95	\$ 700.25
2 p/u per week	\$ 998.52	\$ 1,143.75	\$ 1,363.74	\$ 1,411.13
3 p/u per week	\$ 1,501.33	\$ 1,719.80	\$ 2,050.52	\$ 2,122.01
4 p/u per week	\$ 2,004.13	\$ 2,295.85	\$ 2,737.30	\$ 2,832.89
5 p/u per week	\$ 2,506.94	\$ 2,871.90	\$ 3,424.09	\$ 3,543.78
6 p/u per week	\$ 3,009.74	\$ 3,447.95	\$ 4,110.87	\$ 4,254.66
Extra Dump	\$ 114.40	\$ 132.88	\$ 156.22	\$ 161.60
Saturday Dump	\$ 116.03	\$ 134.81	\$ 158.49	\$ 164.05
Commercial-Cans				
1	\$ 12.39	\$ 14.19	\$ 16.92	\$ 17.51
2	\$ 24.79	\$ 28.38	\$ 33.85	\$ 35.01
3	\$ 37.18	\$ 42.57	\$ 50.77	\$ 52.52
4	\$ 49.57	\$ 56.76	\$ 67.69	\$ 70.02
5	\$ 61.96	\$ 70.95	\$ 84.62	\$ 87.53
6	\$ 74.36	\$ 85.14	\$ 101.54	\$ 105.04
7	\$ 86.75	\$ 99.33	\$ 118.47	\$ 122.54
8	\$ 99.14	\$ 113.51	\$ 135.39	\$ 140.05
9	\$ 111.54	\$ 127.70	\$ 152.31	\$ 157.55
12	\$ 148.71	\$ 170.27	\$ 203.08	\$ 210.07
13	\$ 161.11	\$ 184.46	\$ 220.01	\$ 227.58
15	\$ 185.89	\$ 212.84	\$ 253.85	\$ 262.59
18	\$ 223.07	\$ 255.41	\$ 304.62	\$ 315.11
22	\$ 272.64	\$ 312.16	\$ 372.32	\$ 385.13
27	\$ 334.61	\$ 383.11	\$ 456.94	\$ 472.66
30	\$ 371.78	\$ 425.68	\$ 507.71	\$ 525.18
34	\$ 421.35	\$ 482.44	\$ 575.40	\$ 595.20
43	\$ 532.89	\$ 610.14	\$ 727.71	\$ 752.76
50	\$ 619.64	\$ 709.47	\$ 846.18	\$ 875.30
54	\$ 669.21	\$ 766.22	\$ 913.87	\$ 945.32
Debris Box (cu. yds.)				
8*	\$ 439.26	\$ 446.79	\$ 428.15	\$ 450.13
20	\$ 580.42	\$ 594.47	\$ 561.28	\$ 599.16
30	\$ 700.39	\$ 717.68	\$ 677.24	\$ 723.06
40	\$ 820.36	\$ 840.90	\$ 793.19	\$ 846.96
40 - Special - Woodwas	\$ 494.81	\$ 502.35	\$ 483.70	\$ 505.69

*plus actual disposal charge

West Valley Collection & Recycling

West Valley Cities Rates

Rates Effective 7/1/2015

	Campbell	Los Gatos	Monte Sereno	Saratoga
Compactor (cu. yds.)				
10	\$ 580.42	\$ 594.47	\$ 561.28	\$ 599.16
12	\$ 628.41	\$ 643.75	\$ 607.67	\$ 648.72
15	\$ 700.39	\$ 717.68	\$ 677.24	\$ 723.06
16	\$ 724.38	\$ 742.33	\$ 700.43	\$ 747.84
18	\$ -	\$ 786.31		
20	\$ 820.36	\$ 840.90	\$ 793.19	\$ 846.96
25	\$ 940.32	\$ 964.12	\$ 909.14	\$ 970.85
26	\$ 964.32	\$ 988.77	\$ 932.33	\$ 995.63
28	\$ 1,012.30	\$ 1,038.05	\$ 978.71	\$ 1,045.19
30	\$ 1,060.29	\$ 1,087.34	\$ 1,025.09	\$ 1,094.75
36	\$ 1,204.25	\$ 1,235.20	\$ 1,164.23	\$ 1,243.43
40	\$ 1,300.22	\$ 1,333.78	\$ 1,256.99	\$ 1,342.55
FEL 2CY Compactor				
1 p/u per week	\$ 222.52	\$ 245.41	\$ -	\$ -
2 p/u per week	\$ 446.87	\$ 493.58	\$ -	\$ -
3 p/u per week	\$ 671.56	\$ 741.78	\$ -	\$ -
4 p/u per week	\$ -	\$ 987.86	\$ -	\$ -
5 p/u per week	\$ 1,120.97	\$ -	\$ -	\$ -
6 p/u per week	\$ 1,344.15	\$ -	\$ -	\$ -
FEL 3CY Compactor				
1 p/u per week	\$ 329.64	\$ 368.15	\$ -	\$ 447.53
2 p/u per week	\$ 663.00	\$ 740.38	\$ -	\$ 900.11
3 p/u per week	\$ 996.36	\$ 1,109.89	\$ -	\$ 1,352.71
4 p/u per week	\$ -	\$ 1,480.89	\$ -	\$ -
5 p/u per week	\$ 1,482.99	\$ -	\$ -	\$ -
6 p/u per week	\$ 1,819.46	\$ -	\$ -	\$ -
FEL 4CY Compactor				
1 p/u per week	\$ 434.90	\$ 490.81	\$ -	\$ 596.70
2 p/u per week	\$ 866.04	\$ 987.16	\$ -	\$ 1,200.17
3 p/u per week	\$ 1,298.45	\$ 1,482.16	\$ -	\$ 1,803.63
Yard Waste Box				
20	\$ 455.48	\$ 465.86	\$ -	\$ -
40	\$ 589.11	\$ -	\$ -	\$ -

West Valley Collection & Recycling

EFFECTIVE JULY 1, 2015

MISCELLANEOUS RESIDENTIAL CHARGES

CHARGE	AMOUNT
EXTRA Y/W CART (PER MONTH, UP TO 95-GALLONS, IN EXCESS OF THREE 95-GALLON CARTS)	\$11.58
START/STOP CHARGE (1 MONTH MINIMUM)	\$11.29
FIRST TIME SPECIAL PICK-UP (up to 3 items, limited to approved items) (RESIDENTIAL Customers Only)	\$20.00
SPECIAL PICK-UP (UP TO 3 ITEMS; LIMITED TO APPROVED ITEMS)	\$89.09
Extra Stickers	\$6.19
AUTOMATIC BILL PAY	NO CHARGE
3-YARD "RENT-ME" SERVICE	\$225.68
4-YARD "RENT-ME" SERVICE	\$249.44

MISCELLANEOUS COMMERCIAL CHARGES

KEY/PUSH-OUT**	FREQUENCY PER WEEK					
	1	2	3	4	5	extra P/U
0-25 (LOCKS)	\$21.14	\$42.29	\$63.42	\$84.56	\$105.70	\$13.11
25-50	\$42.29	\$84.56	\$126.85	\$169.12	\$211.41	\$26.21
50-75	\$63.42	\$126.85	\$190.26	\$253.68	\$317.10	\$39.33
75-100	\$84.56	\$169.12	\$253.68	\$338.24	\$422.80	\$52.43
100-125	\$105.70	\$211.41	\$317.10	\$422.80	\$528.50	\$65.54
125-150	\$126.85	\$253.68	\$380.53	\$507.36	\$634.21	\$78.64
150-175	\$147.98	\$295.97	\$443.94	\$591.92	\$739.90	\$91.76
175-200	\$169.12	\$338.24	\$507.36	\$676.48	\$845.60	\$104.86
200-250	\$190.26	\$380.53	\$570.78	\$761.04	\$951.30	\$117.97

** ALL ARE MONTHLY CHARGES EXCEPT THE EXTRA P/U CHARGES

CHARGE	AMOUNT
SMALL COMPACTOR CHARGE (COMMERCIAL COMPACTED BINS SERVICED BY A FRONT-LOAD VEHICLE)	REGULAR BIN RATE + DISPOSAL CHARGE X (1+0.165)
LOCK INSTALLATION/REMOVAL	\$201.93
RELOCATE CHARGE (MOVE A DEBRIS BOX WITHOUT A DUMP)	\$118.78
"DRY RUN" CHARGE (REGULAR SERVICE – BOX EMPTY)	\$118.78
R/O Over Limit Tonnage	\$69.24
DEBRIS BOX RENTAL (PER DAY; IN EXCESS OF 7 DAYS)	\$11.88

RESOLUTION NO. 2015-03

**RESOLUTION OF THE BOARD OF DIRECTORS OF
THE WEST VALLEY SOLID WASTE MANAGEMENT AUTHORITY
RATIFYING FY 2015-16 RATES FOR THE COLLECTION OF SOLID WASTE,
RECYCLABLE MATERIALS, GREEN WASTE, FOOD WASTE, AND
CONSTRUCTION AND DEMOLITION DEBRIS**

WHEREAS, the West Valley Solid Waste Management Authority ("Authority") is an agency created pursuant to Government Code section 6500 et seq. to manage and oversee the collection, disposal and recycling of solid waste originating in the Cities of Campbell, Monte Sereno, Saratoga, and the Town of Los Gatos ("Member Agencies"); and

WHEREAS, the Authority entered into the Agreement between West Valley Solid Waste Management Authority and West Valley Collection & Recycling, LLC (the "Company") for the Collection of Solid Waste, Recyclable Materials, Green Waste, Food Scraps, and Construction and Demolition Debris, the Transportation of Such Materials to Appropriate Places of Processing, Recycling, Composting, and/or Disposable and the Processing of Recyclable Materials (the "Agreement") which established rates for the collection and disposal of solid waste, green waste, recyclable materials and construction and demolition debris; and

WHEREAS, the Agreement provides for the rates to be increased by the Consumers Price Index on July 1 of each year; and

WHEREAS, the Company submitted the rate adjustment calculations in accordance with the agreements for Fiscal Year 2015-16; and

WHEREAS, the Executive Director has reviewed the calculations and determined that they are consistent with the terms of the Agreement; and

WHEREAS, pursuant to the Agreement, the Company is entitled to include in the rate calculations various costs associated or created by the collection of solid waste, recyclable materials, green waste, and construction and demolition debris; and

WHEREAS, California law requires jurisdictions to provide household hazardous waste collection and disposal services to their residents and the County of Santa Clara fulfills this requirement for the Member Agencies by operating a household hazardous waste program and facility to provide waste generators the opportunity to divert household hazardous waste materials from the solid waste stream in accordance with State law. This program has been funded by a landfill tipping fee but, due to the decline in tonnage delivered to the landfills, revenues have declined and, with increasing volumes of household hazardous waste delivered to the County facilities, expenses have increased; and

WHEREAS, a Municipal Regional Stormwater NPDES Permit (“MRP”) was adopted by the San Francisco Bay Regional Water Quality Board (“Water Board”) on October 14, 2009, and covers stormwater discharges from municipalities and local agencies in Alameda, Contra Costa, San Mateo, and Santa Clara counties, and the cities of Fairfield, Suisun City, and Vallejo. Under the MRP, the Member Agencies must eliminate all solid waste from their stormwater system by 2022 with an interim milestone target of reducing the current level to 70% or more before 2017. In order to meet this standard, the amount of litter on the streets must be reduced before it enters the storm drain system and is discharged into the Bay. A significant amount of litter in the streets is a direct result of solid waste generator behavior (i.e., improper and/or illegal discard of waste materials, leaving solid waste and recycling container lids open, failing to utilize public litter containers, spilling materials during collection from containers without immediately cleaning the area, and failing to properly place materials and/or containers for collection). The cumulative impact of these behaviors results in “trash load” (i.e., litter and debris) in the City’s stormwater system which must be reduced, and ultimately eliminated, in order to fulfill the MRP requirements. This can be reduced by street sweeping programs that collect material from streets and gutters, thereby preventing such debris and litter from entering the stormwater collection system; and

WHEREAS, the Public Resources Code requires cities to make adequate provisions for Solid Waste, Recyclable Materials, Green Waste, and Construction and Demolition Debris handling. The Cities through their Joint Exercise of Powers Agreement delegated to the JPA this obligation. The JPA has the authority and obligation to adopt annually, by July 1 of each fiscal year, a budget setting forth all administrative, operational and capital expense for the Authority, together with the apportionment of such expenses by levy against each Member Agency to the extent necessary. The expenses of the JPA for regulatory monitoring and compliance and contract management are directly related to the collection of solid waste, recyclable materials, green waste and construction and demolition debris.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE WEST VALLEY SOLID WASTE MANAGEMENT AUTHORITY that:

1. The Authority finds that the rates contained in the attached rate schedules have been calculated in accordance with the Agreement.
2. The attached rates are hereby ratified and effective July 1, 2015.

This resolution was passed and adopted by the Board of Directors of the West Valley Solid Waste Management Authority at a regularly scheduled meeting on the 7th day of May, 2015, by the following vote:

AYES:
NOES:
ABSENT:

Approved: _____
Steve Leonardis, Chairperson

Attest: _____
Marva M. Sheehan, Executive Director

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WEST VALLEY
SOLID WASTE MANAGEMENT
AUTHORITY

AGENDA REPORT

Date: May 7, 2015
To: West Valley Solid Waste Management Authority Board
From: Executive Director
Subject: **YTD Financial Report**

RECOMMENDED ACTION

Accept report on the Authority's FY 2014-15 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 2014-15. With 75% of the fiscal year passed, the report shows that the Authority expended \$337,279.02 or 59.57% of the approved FY 2014-15 budget.

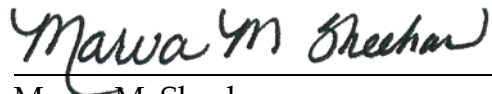
In February 2011, the Board adopted a policy that requires it to maintain an operating reserve of \$100,000 and a rate stabilization reserve of \$100,000. The preliminary fund balance (\$261,336.47) is more than the \$200,000 as a result of 100% of revenues from the Member Agencies have been received for the year and expenditures are made throughout the year. Included in the budgeted revenue is \$35,000 that was expected to be received from WVC&R for the reimbursement for negotiation consulting fees. However, as we discussed at previous Board meetings, the reimbursement will come from the fund balance. We have reviewed the remaining budgeted payments and determined which payments are projected to be made in the remaining quarter of this fiscal year. After that analysis, the fund balance is estimated to be approximately \$193,000 at year end.

FISCAL IMPACT

None

DOCUMENTS ATTACHED

Statement of Revenues, Expenditures, and Changes in Fund Balance - Budget and Actual March 31, 2015.



Marva M. Sheehan
Executive Director

West Valley Solid Waste Management Authority
Statement of Revenues, Expenditures, and
Changes in Fund Balance - Budget and Actual
March 31, 2015

Acct. #	Description	JPA Budget FY 14/15	Year to Date Actual	Balance	YTD %
Revenues:					
4410	Interest Earnings	\$ -	\$ -	\$ -	N/A
4970	City of Campbell	45,096	45,096.00	-	100.00%
4970	City of Los Gatos	33,759	33,759.00	-	100.00%
4970	City of Monte Sereno	3,817	3,817.00	-	100.00%
4970	City of Saratoga	34,272	34,272.00	-	100.00%
4965	AB 2020 Program State Contribution	-	-	-	-
4975	Franchise Agreement WVC&R	450,000	300,000.00	150,000.00	66.67%
4965	Other	35,081	-	35,081.00	-
	Total Revenues	\$ 602,025	\$ 416,944.00	\$ 185,081.00	69.26%
Expenditures:					
Services and Supplies:					
7421	Communications-Phone	-	-	-	-
7424	Office Expense	500	-	500.00	-
7427	Special Departmental Exp. (Legal Svcs.)	8,500	3,900.00	4,600.00	45.88%
7430	Prof. & Special Services (Executive Director)	79,610	2,449.61	77,160.39	3.08%
7430	Prof. & Special Services (Special Projects)	-	50,387.70	(50,387.70)	N/A
7430	Prof. & Special Services (Other)	5,000	-	5,000.00	-
7432	Other Contractual Services (Audit Svcs.)	5,102	2,500.00	2,602.00	49.00%
7432	Other Contractual Services (Countywide Support)	1,000	-	1,000.00	-
7432	Other Contractual Services (Website Administration)	2,500	-	-	-
7433	Insurance (Liability)	2,261	1,081.00	1,180.00	47.81%
7435	Travel/Conf. & Meetings	4,000	-	4,000.00	-
7438	Other Charges (Accounting & Bookkeeping)	7,718	-	7,718.00	-
7675	JPA Solid Waste Distribution	450,000	276,960.71	173,039.29	61.55%
7883	Improvements (AB2020 Infrastructure)	-	-	-	-
	Total Expenditures	\$ 566,191	\$ 337,279.02	\$ 226,411.98	59.57%
	Excess (deficiency) of revenues over (under) expenditures	35,834	79,664.98	115,498.98	
	Fund balance at beginning of year - 7/1/2014	164,166	181,671.49		
	Fund balance as of March 31, 2015	\$ 200,000	\$ 261,336.47		

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WEST VALLEY SOLID WASTE MANAGEMENT AUTHORITY

Executive Director

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HF&H Consultants, LLC
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Walnut Creek, CA 94596
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Member Agencies

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

MEETING MINUTES

February 5, 2015

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

CALL TO ORDER

At 5:00 pm, Alternate Member Marico Sayoc called the meeting to order.

PLEDGE OF ALLEGIANCE

ROLL CALL

Alternate Member Marico Sayoc, representing Los Gatos, Member Lionel Allan, representing Monte Sereno, Member Howard Miller, representing Saratoga, and Member Paul Resnikoff, representing Campbell, were present. Also present were Executive Director Marva Sheehan and Authority Counsel Kirsten Powell.

ORAL COMMUNICATIONS FROM THE PUBLIC

None

WRITTEN COMMUNICATIONS

None

OLD BUSINESS

None

NEW BUSINESS

1. Upon a motion by Member Allan and a second by Member Resnikoff, the Board unanimously re-elected Chair Leonardis to serve as Chair for 2015. Upon a motion by Member Allan and a second by Member Resnikoff, the Board unanimously elected Member Miller to serve as Vice Chair for 2014.
2. The Board received and filed a report summarizing the key points and dates from the new collection agreement with West Valley Collection & Recycling (WVC&R).
3. The Board received and filed a report summarizing the key points and dates from the disposal agreement with Guadalupe Landfill.
4. Upon a motion by Alternate Member Sayoc and a second by Member Allan, the Board unanimously voted to direct staff to bring back a list of optional uses for the funds collected from WVC&R from liquidated damages, including the option to keep the funds available for future opportunities.
5. The Board received and filed a report on the State's diversion requirements related to AB 1826 and AB 45.
6. The Board considered a report on the change in billing cycles. No action was taken.
7. The Board heard an oral report from WVC&R on its customer service procedures, public outreach and phone system changes. No action was taken.

PUBLIC HEARINGS

None

CONSENT CALENDAR

8. Upon a motion by Member Allen and a second by Member Resnikoff, the Board voted 4-0 to approve the minutes of the November 6, 2014 Regular Board Meeting and the Executive Director financial report for the six months ended December 31, 2014.

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.

FUTURE AGENDA ITEMS

None

BOARD MEMBER REPORTS

None

ADJOURNMENT

Vice Chair Miller adjourned the meeting of the Board at 6:30 pm until the next regular meeting, which will be held May 7, 2015.

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