

# WEST VALLEY SOLID WASTE MANAGEMENT AUTHORITY

## **Executive Director**

Marva M. Sheehan, CPA  
HF&H Consultants, LLC  
201 North Civic Drive, Suite 230  
Walnut Creek, CA 94596  
Telephone • (925) 977-6961  
Facsimile • (925) 977-6955  
E-mail • msheehan@hfh-consultants.com

## **Member Agencies**

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

## **REGULAR MEETING AGENDA**

**September 3, 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 a report on follow up on customer comments.

### **NEW BUSINESS**

2. Receive and file a report on the Member Agencies' 2014 CalRecycle Annual Reports.
3. Consider a report on WVC&R's prior fiscal year complaints and liquidated damages.
4. Schedule annual Authority Executive Director and Attorney performance review.

**PUBLIC HEARINGS**

None

**CONSENT CALENDAR**

5. Approve Minutes of May 7, 2015 Board Meeting
6. Year to Date Financial Report

**EXECUTIVE DIRECTOR REPORT**

**FUTURE AGENDA ITEMS**

**BOARD MEMBER REPORTS**

**ADJOURNMENT**

Next Regular Meeting: November 5, 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: September 3, 2015  
To: West Valley Solid Waste Management Authority Board  
From: Executive Director  
Subject: **Various Methods of Handling Customer Comments**

---

## RECOMMENDED ACTION

Consider the report on the various methods of handling customer comments on Authority matters.

## DISCUSSION

### Background

At the May 7, 2015 Board meeting, the Board requested an opportunity to discuss various methods of handling customer comments on Authority matters.

Currently, customers may provide comments in the following ways:

<ul style="list-style-type: none"><li>• Contacting WVC&amp;R directly<ul style="list-style-type: none"><li>○ Phone</li><li>○ Email</li><li>○ In Person at WVC&amp;R office</li></ul></li></ul>	<ul style="list-style-type: none"><li>• Contacting Executive Director<ul style="list-style-type: none"><li>○ Phone</li><li>○ Email</li></ul></li></ul>
<ul style="list-style-type: none"><li>• Contacting each Member Agency<ul style="list-style-type: none"><li>○ Phone</li><li>○ Email</li><li>○ In Person at Agency office</li></ul></li></ul>	<ul style="list-style-type: none"><li>• Contacting Board Members<ul style="list-style-type: none"><li>○ Phone</li><li>○ Email</li><li>○ In Person</li></ul></li></ul>

We are the process of implementing a customer complaint log at each agency and Authority staff. A sample of the log is shown below:

Member Agency

Quarter ended

December 31, 2015

Date	Customer Name		Address		Description of Complaint	Code	Date Sent to ED	Date sent to WVC&R	Date Resolved	Comments
	Last	First	Contact information							
11/18/2014	Smith	John	123 Main Street	408-555-5555	Had to wait too long on hold	4	11/18/2015	N/A		customer was upset in general about the lack of ability to contract with someone besides WVC&R
11/18/2014	Smith	John	Same as above		C&D box rates are too high	8	11/18/2015	N/A		

We are hoping to move this to a web-based document for ease of staff use.

**Discussion**

There are other methods to track customer comments, including software programs specifically designed for customer comments.

**Recommendation**

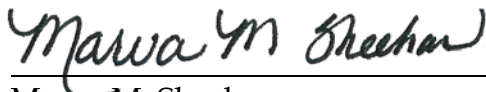
My recommendation is we continue with the existing tracking system with the possible enhancement of a web-based document for ease of transmission.

**FISCAL IMPACT**

None

**DOCUMENTS ATTACHED**

None




---

Marva M. Sheehan  
Executive Director

AGENDA ITEM NO. 2

MEETING DATE: SEPTEMBER 3, 2015

WEST VALLEY  
SOLID WASTE MANAGEMENT  
AUTHORITY

---

## AGENDA REPORT

Date: September 3, 2015

To: West Valley Solid Waste Management Authority Board

From: Executive Director

Subject: **2014 CalRecycle Annual Reports**

---

### RECOMMENDED ACTION

Receive and file a report on the Member Agencies' 2014 CalRecycle Annual Reports.

### DISCUSSION

#### Background

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

AB1826 requires various levels of organics generators to subscribe to organics collection. See the table below:

**Table 1:  
 AB 1826 Timeline**

Deadline	Requirements for Businesses and Multi-Family Premises	Requirements for Jurisdictions
January 1, 2016		Implement organics recycling program for businesses and multi-family premises
April 1, 2016	Businesses with 8 CY / week or more of organic material must arrange recycling services for organics*	
January 1, 2017	Businesses with 4 CY / week or more of organic material must arrange recycling services for organics*	
August 1, 2017		Report progress to CalRecycle
January 1, 2019	Businesses with 4 CY / week or more of solid waste must arrange recycling services for organics*	
January 1, 2020	Businesses with 2 CY / week or more of solid waste** must arrange recycling services for organics*	

\*Business includes multi-family premises with 5 or more units; however, multi-family premises are not required to recycle food waste.

\*\* Applicable only if CalRecycle determines by January 1, 2020 that the statewide disposal of organics has not been reduced to 50% of the 2014 disposal level.

**Discussion**

Table 2 summarizes the reported diversion rates for each agency for the five-year period 2002-2006.

**Table 2:**  
**CIWMB 2002-2006 Annual Reports**

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

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

Effective with the 2007 Annual Report, CalRecycle changed the methodology used to calculate compliance with the 50% diversion requirement. Under the new methodology, a per capita waste disposal target amount is calculated and compared to the actual per capita waste disposed. As long as the actual per capita amount is less than the targeted per capita disposal amount, the agency is in compliance.

Table 3 shows the target and actual disposed amounts for each Member Agency under the new methodology for 2007-2014, demonstrating that each Agency met the diversion requirement for all years. All four Member Agency's actual per-capita disposal amounts continue to exceed the target diversion goals. In 2014, Campbell and Saratoga's per-capita disposal stayed the same, and Los Gatos and Monte Sereno's disposal per-capita decreased. Monte Sereno's per-capita disposal returned to similar levels in 2011 and 2012.

**Table 3:**  
**CIWMB 2007-2014 Disposal Per Capita (lbs/person/day)**

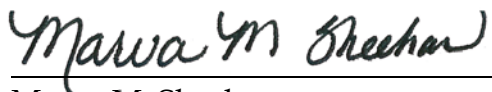
Member Agency	Disposal Per-Capita Target	Actual							
		2007	2008	2009	2010	2011	2012	2013	2014
Campbell	5.2	4.7	4.4	3.8	3.9	3.8	4.0	4.1	4.1
Los Gatos	6.0	4.1	3.9	3.3	3.6	3.7	3.7	4.0	3.9
Monte Sereno	3.9	1.4	1.4	1.2	1.1	1.5	1.5	2.1	1.7
Saratoga	4.2	2.7	2.9	2.5	2.8	2.8	2.9	2.9	2.9

**DOCUMENTS ATTACHED**

None

**FISCAL IMPACT**

None



---

Marva M. Sheehan  
Executive Director



WEST VALLEY  
SOLID WASTE MANAGEMENT  
AUTHORITY

---

## AGENDA REPORT

Date: September 3, 2015  
To: West Valley Solid Waste Management Authority Board  
From: Executive Director  
Subject: **FY 14/15 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).

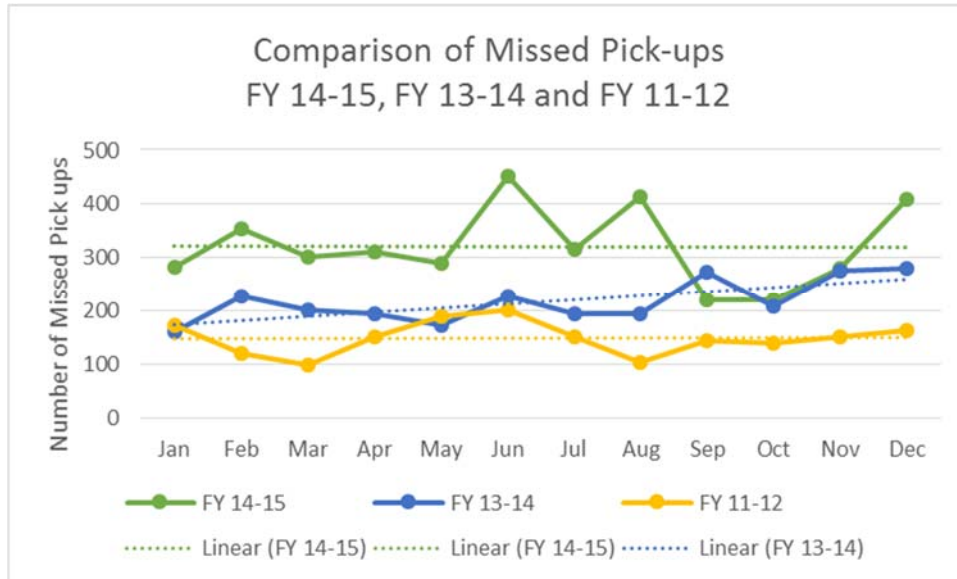
### DISCUSSION

#### 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 to the Executive Director on a quarterly basis by type of complaint.

#### Missed Pickups

A missed pickup is defined as the failure of WVC&R to collect material that has been properly set out for collection within 24 hours. The performance standard allows 20 such failures per quarter. We began observing a steady increase in missed pickups in 2014. The number increased to about 320 per month compared to about 150 per month in FY 11-12. We understand there are over 2 million opportunities for a missed pickup on an annual basis, so from a percentage of total misses for FY 14-15 it is only .02% "miss" rate. However, we are focusing more on the service standard established by WVC&R during the term of its past contract with the Authority. See the chart below:



WVC&R reported they did not respond to 17 instances within the 24 hour period beyond the allowed 20 failures per quarter.

Therefore, \$2,250 (17 multiplied \$150 per occurrence) in liquidated damages is recommended. I also recommend WVC&R prepare a plan to reduce the number of misses and present to the Authority Executive Director and Agency staff by the end of September. At the November Board meeting, I recommend WVC&R present a status report on its plan and preliminary results.

### **Double Misses**

A double miss is defined as the failure to collect material that has been properly set out from the same customer on two consecutive scheduled pickup days. WVC&R did not report any "double misses" for FY 14-15, nor were any reported to the Authority Executive Director.

### **Property Damage**

The threshold for property damage claims in the collection agreement is 36 per year, or the equivalent of three per month. WVC&R reported 6 property damage claims for the year. WVC&R met the standard for property damage during the year.

### **Placement of Containers**

When containers are emptied, they are to be properly returned to avoid pedestrian or vehicular traffic impediments and should be placed upright with lids closed and secured. The performance standard allows for 20 such failures annually. We did not have significant complaints regarding the placement of carts. However, recently an Agency staff member, on their way to city hall, noticed group of carts knocked over

and lids open. It was reported to WVC&R and we were told drivers would be reminded about proper placement of carts.

The Authority Executive Director or Agency staff will continue to monitor the situation during the fiscal year and report the findings to the Company as they are noted.

### **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, customer responsiveness, 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. Overall, WVC&R has provided good service to the Authority. However, there are several areas where we feel improvement is warranted.

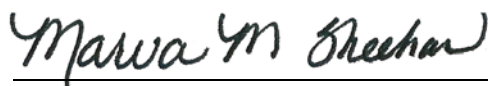
For FY 2014-2015, I recommend the Board consider assessing \$2,250 in liquidated damages to be used for future Authority expenses.

### **FISCAL IMPACT**

The Authority is to receive \$2,250 in liquidated damages. This is an unbudgeted item.

### **DOCUMENTS ATTACHED**

None



---

Marva M. Sheehan  
Executive Director

This page intentionally left blank

# WEST VALLEY SOLID WASTE MANAGEMENT AUTHORITY

## **Executive Director**

Marva M. Sheehan, CPA  
HF&H Consultants, LLC  
201 North Civic Drive, Suite 230  
Walnut Creek, CA 94596  
Telephone • (925) 977-6961  
Facsimile • (925) 977-6955  
E-mail • msheehan@hfh-consultants.com

## **Member Agencies**

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

## **MEETING MINUTES**

**May 7, 2014**

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

### **CALL TO ORDER**

At 5:00 pm Chair Steve Leonardis called the meeting to order.

### **PLEDGE OF ALLEGIANCE**

### **ROLL CALL**

Chair Steve Leonardis, representing Los Gatos, Vice Chair Howard Miller, representing Saratoga, Member Paul Resnikoff, representing Campbell, and, Member Lon Allan, representing Monte Sereno, were present. Also present were Executive Director Marva Sheehan and Authority Counsel Kirsten Powell.

### **ORAL COMMUNICATIONS FROM THE PUBLIC**

Richard Hawley presented proposals to the Board.

### **WRITTEN COMMUNICATIONS**

None.

### **OLD BUSINESS**

1. The Board received a report and discussed the potential uses of the funds received from WVC&R from the FY13-14 liquidated damages assessment.

Upon a motion by Vice Chair Miller and a second by Member Allan, the Board voted 4-0 to retain the funds to offset Authority expenses.

**NEW BUSINESS**

2. The Board received the FY2015-2016 Board Meeting Schedule.

Upon a motion by Vice Chair Miller and a second by Member Resnikoff, the Board voted 4-0 to approve the FY 15-16 Board meeting schedule.

3. The Board received a report summarizing the key points of the Executive Director and Authority Attorney contracts.
4. Upon a motion by Member Allan and a second by Member Resnikoff, the Board voted 4-0 approved Resolution 2015-01 adopting the FY 2015-2016 budget.

**PUBLIC HEARINGS**

5. Upon a motion by Member Resnikoff and a second by Member Allan, the Board unanimously approved Resolution 2015-02 ratifying the Guadalupe Landfill contractual disposal propriety rate increase of 2.40% effective July 1, 2015.
6. Upon a motion by Vice Chair Miller and a second by Member Resnikoff, the Board unanimously approved Resolution 2015-03 ratifying the West Valley Collection and Recycling contractual rate increase of 2.14% effective July 1, 2015.

**CONSENT CALENDAR**

7. Upon a motion by Member Allan and a second by Vice Chair Miller the Board voted 4-0 to approve minutes of February 5, 2015 Board Meeting and the Executive Director financial report for the nine months ended March 31, 2015.

**FUTURE AGENDA ITEMS**

**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 Leonardis adjourned the meeting of the Board at 6:00 pm until the next regular meeting on September 3, 2015 at 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.

This page intentionally left blank



WEST VALLEY  
SOLID WASTE MANAGEMENT  
AUTHORITY

---

**AGENDA REPORT**

Date: September 3, 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 June for FY 2014-15. With 100% of the fiscal year passed, the report shows that the Authority expended \$549,106 or 96.98% of the approved FY 2014-15 budget. Included in the revenue and expenditures is the Annual Fee Payment of \$450,000 from WVC&R. The Annual Fee Payment was distributed to the member agencies. Note that these are preliminary numbers subject to audit.

The preliminary fund balance (\$200,635.99) approximates the \$200,000 designated by Board Policy. During the year, it was anticipated the fund balance may drop below the \$200,000. However, as a result of lower expenditures for the fiscal year, the fund balance was able to return to the desired \$200,000. It has been the Board's policy, adopted February 2011, of maintaining an operating reserve of \$100,000 and a rate stabilization reserve of \$100,000.

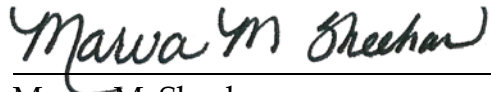
As part of my review of the audited financial statements, I will ensure the fund balance is in accordance with the direction from the Board.

**FISCAL IMPACT**

None

**DOCUMENTS ATTACHED**

Statement of Revenues, Expenditures, and Changes in Fund Balance - Budget and Actual June 30, 2015.



---

Marva M. Sheehan  
Executive Director

**West Valley Solid Waste Management Authority**  
**Statement of Revenues, Expenditures, and**  
**Changes in Fund Balance - Budget and Actual**  
**June 30, 2015**

Acct. #	Description	JPA Budget FY 14/15	Year to Date Actual	Balance	YTD %
<b>Revenues:</b>					
4410	Interest Earnings	\$ -	\$ 1,126.17	\$ (1,126.17)	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	450,000.00	-	100.00%
4965	Other	35,081	-	35,081.00	-
	<b>Total Revenues</b>	<b>\$ 602,025</b>	<b>\$ 568,070.17</b>	<b>\$ 33,954.83</b>	<b>94.36%</b>
<b>Expenditures:</b>					
<b>Services and Supplies:</b>					
7421	Communications-Phone	-	-	-	-
7424	Office Expense	500	-	500.00	-
7427	Special Departmental Exp. (Legal Svcs.)	8,500	9,183.50	(683.50)	108.04%
7430	Prof. & Special Services (Executive Director)	79,610	2,449.61	77,160.39	3.08%
7430	Prof. & Special Services (Special Projects)	-	76,173.56	(76,173.56)	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	-	100.00%
7675	JPA Solid Waste Distribution	450,000	450,000.00	-	100.00%
7883	Improvements (AB2020 Infrastructure)	-	-	-	-
	<b>Total Expenditures</b>	<b>\$ 566,191</b>	<b>\$ 549,105.67</b>	<b>\$ 14,585.33</b>	<b>96.98%</b>
	Excess (deficiency) of revenues over (under) expenditures	35,834	18,964.50	54,798.50	
	Fund balance at beginning of year - 7/1/2014	164,166	181,671.49		
	<b>Fund balance as of June 30, 2015</b>	<b>\$ 200,000</b>	<b>\$ 200,635.99</b>		

This page intentionally left blank

# **WEST VALLEY SOLID WASTE MANAGEMENT AUTHORITY**

## **Calendar of Future Agenda Items**

### November 5, 2015 Meeting

- Closed Session – annual evaluations of Authority Attorney and Executive Director

### February 4, 2016 Meeting

- Elect new officers
- Review of Collection and Disposal contracts

### May 5, 2016 Meeting

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

### September 7, 2016 Meeting

- Receive and file annual CalRecycle Annual Reports
- Schedule annual Authority Attorney and Executive Director performance review
- 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

This page intentionally left blank