

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

November 1, 2018

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

None

NEW BUSINESS

1. Consider a report on WVC&R's prior fiscal year complaints and liquidated damages.
2. Receive report on recent regulatory changes and program updates.
3. Consider the update to the Conflict of Interest Code for the Authority.
4. Create an Ad Hoc Committee of two members to assist in the development of a disposal procurement and/or negotiations process.

PUBLIC HEARINGS

None

CONSENT CALENDAR

- 5. Approve minutes of September 6, 2018 Regular Board Meeting.
- 6. 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 7, 2019, 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 1, 2018
To: West Valley Solid Waste Management Authority Board
From: Executive Director
Subject: **FY 17-18 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.

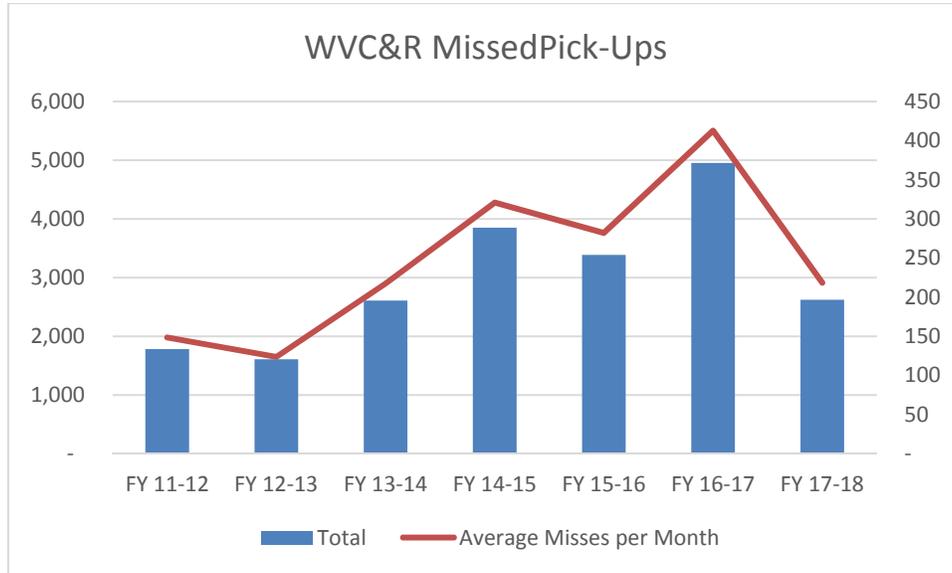
Missed Pick-ups

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 as shown in the chart below. The first half of FY 17-18 averaged approximately 300 per month and the second half approximately 150 per month.

Overall, there was a steady decline in missed pickups throughout FY 17-18.



WVC&R reported they did not respond within one business day to 34 instances of missed pick-ups, which did not exceed the allowance of 20 such failures per quarter.

While WVC&R did meet the service standard and showed considerable improvement over the prior year, we will continue to monitor the number of missed pick-ups.

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 67 instances of a double miss in FY 17-18. The performance standard does not provide for a maximum allowance per quarter, making each one subject to liquidated damages.

Therefore, \$10,975.18 (67 multiplied by \$163.81 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	33	0	33	\$ 163.81	\$ 5,405.69
Quarter 2	14	0	14	\$ 163.81	\$ 2,293.32
Quarter 3	8	0	8	\$ 163.81	\$ 1,310.47
Quarter 4	12	0	12	\$ 163.81	\$ 1,965.70
Total	67	0	67	\$ 163.81	\$ 10,975.18

New Customer Starts

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

WVC&R incurred 63 instances of failing to commence new starts within the prescribed period in FY 17-18. The performance standard allows 24 per year, making 39 instances subject to liquidated damages.

Therefore, \$6,388.54 (39 multiplied by \$163.81 per occurrence) in liquidated damages is due the WVSWMA as shown in the table below.

Summary of New Customer Starts

	New Customer Starts	Allowed	New Customer Starts Subject to Liquidated Damages	Liquidated Damage per Account	Total Liquidated Damages
Fiscal Year	63	24	39	\$ 163.81	\$ 6,388.54
Total	63	24	39	\$ 163.81	\$ 6,388.54

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 6 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.

FY 16-17 Liquidated Damages

At the November 2, 2017 Board Meeting, the Board assessed liquidated damages in the amount of \$22,480.02. However, the Board agreed to suspend the payment until November 1, 2018 and if the FY 17-18 assessed liquidated damages are less than ½ of the FY 16/17 liquidated damages, the Board agreed to waive the FY 16-17 liquidated damages.

The Board Motion on November 2, 2017 was as follows:

The Board received and considered a report WVC&R's FY16/17 complaints and liquidated damages. Upon a motion by Vice Chair Bernald and a second by Board Member Rogers, the Board voted to impose the \$22,480.02 fine but defer the collection of the fine until November 1, 2018. At that time, if the liquidated damages assessed against WVC&R for 2018 is less than ½ of the 2017 fine (less than \$11,240.01), the 2017 fine will be waived. If the 2018 fine is more than ½ of the 2017 fine (more than \$11,240.01), the total fine due for 2017 will be immediately due in addition to any fines due for 2018.

Based on our assessment for FY 17-18, WVC&R is responsible for payment of the FY 16-17 and FY 17/18 liquidated damages.

Recommendation

The purpose of assessing liquidated damages is to ensure consistent and reliable service and performance by WVC&R. An assessment of \$17,363.72 is warranted under the Agreement for FY 17-18. Since the FY 17-18 liquidated damages are more than half of the \$22,480.02 that was assessed, but not collected, for FY 16-17, the entire amount of \$39,843.74 is due to the WWSWMA.

For FY 17-18, I recommend the Board consider assessing \$17,363.72 in liquidated damages and collect the remaining \$22,480.02 that was deferred from FY 16-17.

Alternative

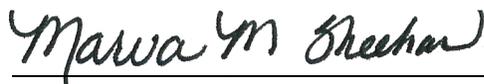
Alternatively, the Board could decide waive all or a portion of the liquidated damages and require WVC&R to use the funds for additional outreach, education, and/or programs that further promote and encourage recycling and diversion with the Authority areas. Such efforts would be at the Board's discretion and satisfaction that the efforts are over and above that which WVC&R is contractually obligated to perform.

FISCAL IMPACT

The Authority is to receive either \$39,843.74 in cumulative liquidated damages or waive all or a portion of the liquidated damages collection. Funds may be used at the Board's discretion.

DOCUMENTS ATTACHED

None



Marva M. Sheehan
Executive Director

WEST VALLEY
SOLID WASTE MANAGEMENT
AUTHORITY

AGENDA REPORT

Date: November 1, 2018
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

Since our last meeting, action has been taken on the following legislation related to recycling, composting and waste reduction:

AB 3178

Vetoed by Governor Brown on 9/10/18.

This bill would have made findings that the storage of recyclable materials in amounts that exceed the design or permitted capacity of a solid waste facility can pose a threat to public health and safety, and as such would have authorized a jurisdiction, until January 1, 2023, to temporarily dispose of recyclable material if the disposal is necessary for the facility to operate within design or permitted limits.

This bill would have prohibited CalRecycle, until January 1, 2023, from imposing administrative civil penalties on a jurisdiction if the need to dispose of excess recyclable materials resulted from a lack of available markets.

SB 1335

Signed by Governor Brown on 9/20/18.

This bill will prohibit a food service facility in a state agency or large state facility, effective January 1, 2021, from using disposable food service packaging, unless it is accepted for recovery, and has been proven that the type of disposable packaging is recovered for recycling or composting at a rate of 75% or more.

AB 1884

Signed by Governor Brown on 9/20/18.

This bill will prohibit a food facility from providing single-use plastic straws to consumers unless specifically requested. This bill will allow non-compliant food facilities to be fined \$25 a day after 2 warnings for each day the facility is in violation.

Ongoing

AB 1826

AB 1826 continues to be phased in, with generators of organic materials (4 cubic yards or greater of weekly volumes) required to subscribe to organic material collection effective January 1, 2017.

Future Milestones for AB 1826 include:

- January 1, 2019 - Businesses and Multi-Family (5+ units) with 4 cubic yards or more of weekly solid waste are required to participate in organics collection services.
- January 1, 2020 - Businesses with 2 cubic yards or more of weekly solid waste are required to participate in organics collection services if CalRecycle determines on that date that organics waste has not been reduced by 50% of 2014 levels.

SB 1383

SB 1383 was signed by Governor Brown on September 19, 2016. It places requirements on the State Air Resources Board (ARB) to approve and begin implementing, no later than January 1, 2018, a comprehensive strategy to reduce emissions on short-lived climate pollutants, including methane and organics emissions.

The primary concern for the Board are requirements in AB 1383 is to reduce from the 2014 level, organics waste that is disposed in landfill by 50% by 2020 and by 75% by 2025. Additional requirements include a 20% improvement in edible food recovery by 2025.

The definition of organics includes both residential and commercial material, solid wastes containing material originating from living organisms and their metabolic waste products, food waste, green waste, landscape and pruning waste, applicable textiles and carpets, wood, lumber, fiber, manure, biosolids, digestate, and sludges.

On July 24, 2018, a presentation on SB 1383 was given to Member Agency Staff. The presentation highlighted the additional requirements that will be placed on the Member Agencies if the draft regulations are adopted. Examples include:

- Reporting & Recordkeeping
 - Initial compliance report
 - Contamination monitoring
 - Waivers
 - Education & outreach
 - Hauler oversight
 - Edible food recovery
 - Organic waste recycling capacity
- Implementation Record

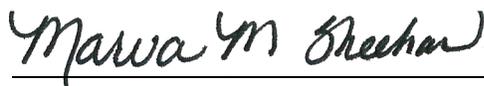
[Presentation]

FISCAL IMPACT

None

DOCUMENTS ATTACHED

AB 1383 Presentation



Marva M. Sheehan
Executive Director

**WEST VALLEY
SOLID WASTE MANAGEMENT
AUTHORITY**

AGENDA REPORT

Date: November 1, 2018
To: West Valley Solid Waste Management Authority Board
From: Authority Counsel
Subject: Amendment to Agency's Conflict of Interest Code

RECOMMENDED ACTION

Adopt the Amended Conflict of Interest Code by resolution.

DISCUSSION

The Political Reform Act requires every local governmental agency, including the West Valley Solid Waste Management Authority ("Authority") to review its conflict of interest code every even-numbered year. The conflict of interest code outlines what interests Board Members and other local government officials must disclose in the annual Form 700. Pursuant to Government Code section 87303, "No conflict of interest code shall be effective until it has been approved by the code-reviewing body." The County of Santa Clara Board of Supervisors is the code-reviewing body for local County agencies.

The County has requested that the Board amend its current code to: 1) update the website reference for Section 18730 of the 2 California Code of Regulations; 2) add "leased space" to disclosable items under Disclosure Category 1; and, 3) change the code section reference under Disclosure Category 2, Consultants.

FISCAL IMPACT

None

DOCUMENTS ATTACHED

West Valley Solid Waste Management Authority Conflict of Interest Code.
Resolution 2018-04 – Resolution to Adopt Amended Conflict of Interest Code.



Kirsten M. Powell
Authority Counsel

WEST VALLEY SOLID WASTE MANAGEMENT AUTHORITY CONFLICT OF INTEREST CODE

The Political Reform Act (Government Code section 8100, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 California Code of Regulations section 18730), which contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearings it may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulation section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the text here designating officials and establishing disclosure categories, shall constitute the conflict of interest code of the West Valley Solid Waste Management Authority.

The full text of Section 18730, together with any amendments thereto, may be found at:

<http://www.fppc.ca.gov/content/dam/fppc/NS-Documents/LegalDiv/Regulations/Index/Chapter7/Article2/18730.pdf>

Designated positions shall file statements of economic interest with the Authority. If a statement is received in signed paper format, the Authority's filing official shall make and retain a copy and forward the original of this statement to the filing officer, the County of Santa Clara Clerk of the Board of Supervisors. If a statement is electronically filed using the County of Santa Clara's 700 e-filing system, both the Authority's filing official and the County of Santa Clara Clerk of the Board of Supervisors will receive access to the e-filed statement simultaneously. The Authority shall make the statements available for public inspection and reproduction pursuant to Government Code section 81008.

DESIGNATED POSITIONS: The designated positions listed below are required to file Form 700 Statements of Economic Interests disclosing certain personal financial interests. These positions are required to file the applicable individual schedules reporting investments, business positions, and sources of income located in or doing business in the Authority's jurisdiction and interest in real property located in the Authority's jurisdiction.

Designated Positions	Disclosure Category
Board Member	1
Executive Director	1
Consultant	2
Newly Created Position	*

***Newly Created Positions**

A newly created position that makes or participates in the making of decisions that may foreseeably have a material effect on any financial interest of the position-holder, and which specific position title is not yet listed in the conflict of interest code is included in the list of designated positions and shall disclose pursuant to the broadest category in the code, subject to the following limitation: The Authority may determine in writing that a particular newly created position, although a “designated position,” is hired to perform a range of duties that are limited in scope and thus is not required to fully comply with the broadest disclosure requirements, but instead must comply with more tailored disclosure requirements specific to that newly created position. Such written determination shall include a description of the newly created position’s duties and, based upon that description, a statement of the extent of disclosure requirements. The Authority’s determination is a public record and shall be retained for public inspection in the same manner and location as the conflict-of-interest code. (Gov. Code Section 81008.)

As soon as the Authority has a newly created position that must file statements of economic interests, the Authority’s filing official shall contact the County of Santa Clara Clerk of the Board of Supervisors Form 700 division to notify it of the new position title to be added in the County’s electronic Form 700 record management system, known as eDisclosure. Upon this notification, the Clerk’s office shall enter the actual position title of the newly created position into eDisclosure and the Authority’s filing official shall ensure that the name of any individual(s) holding the newly created position is entered under that position title in eDisclosure.

Additionally, within 90 days of creation of a newly created position that must file statements of economic interests, the Authority shall update this conflict-of-interest code to add the actual position title in its list of designated positions, and submit the amended conflict of interest code to the County of Santa Clara Office of the County Counsel for code-reviewing body approval by the County Board of Supervisors. (Gov. Code Sec. 87306)

DISCLOSURE CATEGORIES:

1. **Jurisdiction.** The jurisdiction of the West Valley Solid Waste Management Authority is the City of Campbell, the City of Monte Sereno, the City of Saratoga, and the Town of Los Gatos. Individuals holding a designated position shall disclose reportable interests pursuant to the definition of jurisdiction for each type of interest in the statement of economic interests.
2. **Disclosure Categories.**

Category 1. Persons designated in this category must disclose (1) all investments in, business positions in, and income, including gifts, loans and travel payments, from sources that (a) have filed claims, or have claims pending, against the Authority during the reporting period, (b) provide goods, equipment, machinery, leased space, or services, related to solid waste collection or disposal, or (c) receive, are planning to receive, or have received in the last two years, grants or other monies from or through the Authority; and all interests in real property located entirely or partly within the jurisdiction of the Authority, or within two miles of the Authority's boundaries, or of any land owned or used by the Authority.

Category 2. Consultants, as defined for purposes of the Political Reform Act, shall disclose pursuant to the broadest disclosure category in the conflict of interest code subject to the following limitations: The Authority may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to comply fully with the disclosure requirements of the broadest disclosure category, but instead must comply with more tailored disclosure requirements specific to that consultant. Such a determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. All such determinations are public records and shall be retained for public inspection along with this conflict of interest code.

For purposes of Category 2, a "consultant" is an individual who, pursuant to a contract with a state or local government agency, makes a governmental decision whether to:

- i. Approve a rate, rule or regulation;
- ii. Adopt or enforce a law;
- iii. Issue, deny, suspend, or revoke any permit, license, application, certificate, approval, order or similar authorization or entitlement;
- iv. Authorize the agency to enter into, modify, or renew a contract provided it is the type of contract that requires agency approval;
- v. Grant agency approval to a contract that requires agency approval and to which the agency is a party, or to the specifications for such a contract;
- vi. Grant agency approval to a plan, design, report, study or similar item;
- vii. Adopt, or grant agency approval of policies, standards, or guidelines for the agency, or for any subdivision thereof.

A consultant is also an individual who, pursuant to a contract with the Authority, serves in a staff capacity with the Authority and in that capacity participates in making a governmental decision as defined in regulation 18704 or performs the same or substantially all the same duties for the Authority that would otherwise be performed by an individual holding a position specified in the Authority's Conflict of Interest Code under Government Code section 87302.

RESOLUTION NO. 2018-04

RESOLUTION OF THE WEST VALLEY SOLID WASTE MANAGEMENT AUTHORITY ADOPTING AN AMENDED CONFLICT OF INTEREST CODE FOR THE WEST VALLEY SOLID WASTE MANAGEMENT AUTHORITY AND SUBMITTING SAID CODE TO THE SANTA CLARA COUNTY BOARD OF SUPERVISORS FOR APPROVAL

WHEREAS, the Political Reform Act, Government Code section 81000 et seq., requires state and local government agencies to adopt and promulgate conflict of interest codes;

WHEREAS, the Fair Political Practices Commission has adopted California Regulation, 2 Cal. Code of Regulations section 18730 (“Regulation”), which contains the terms of a standard conflict of interest code;

WHEREAS, under State law, a local government agency may adopt the Regulation as its own conflict of interest code, along with the designation of individuals and the formulation of disclosure categories in an appendix to the Regulation;

WHEREAS, the Santa Clara County Board of Supervisors is the code reviewing body for Santa Clara County agencies and for any other local agencies whose jurisdiction is solely within the County;

WHEREAS, pursuant to Government Code section 87303, the conflict of interest code shall be effective when it has been approved by the code reviewing body; and

THEREFORE, the West Valley Solid Waste Management Authority hereby adopts California Regulation, 2 Cal. Code of Regulations section 18730, along with the Appendix A (copies of which are attached hereto), as its conflict of interest code, and authorizes the Executive Director to submit the conflict of interest code to the Santa Clara County Board of Supervisors for approval.

Regularly adopted and passed this 1st day of November, 2018, by the following vote:

AYES:

NOES:

ABSENT:

Approved: _____
Mary-Lynne Bernald, Chairperson

Attest: _____
Marva M. Sheehan, Executive Director

WEST VALLEY
SOLID WASTE MANAGEMENT
AUTHORITY

AGENDA REPORT

Date: November 1, 2018
To: West Valley Solid Waste Management Authority Board
From: Executive Director
Subject: **Ad Hoc Committee for Disposal Agreement**

RECOMMENDED ACTION

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

DISCUSSION

The initial term of the Waste Disposal, Yard Waste and Construction and Demolition Debris Processing Agreement with Waste Management will expire on December 31, 2021. The Board must decide whether to issue a request for proposals (RFP); extend the existing agreement; or, negotiate a new contract.

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

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

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

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

ALTERNATIVES

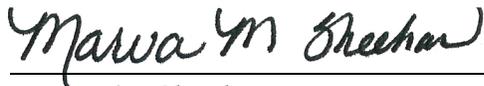
Do not appoint an Ad Hoc committee. This may result in the need for additional special meetings of the Board and would not allow for confidential direction from the Board regarding contract negotiations.

FISCAL IMPACT

None

DOCUMENTS ATTACHED

None



Marva M. Sheehan
Executive Director

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

September 6, 2018

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

CALL TO ORDER

At 5:00 pm, Chair Bernald called the meeting to order.

PLEDGE OF ALLEGIANCE

ROLL CALL

Chair Mary-Lynne Bernald, representing Saratoga, Vice Chair Curtis Rogers, representing Monte Sereno, Member Steve Leonardis, representing Los Gatos, and Member 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

1. Received an oral update from West Valley Collection & Recycling (WVC&R) regarding recent operational changes including full implementation of its tablet and GPS tracking system.

NEW BUSINESS

2. The Board received and filed a report on the Member Agencies' 2017 CalRecycle Annual Reports.
3. The Board received an oral report from Rob Hilton regarding the upcoming disposal procurement and/or negotiations.
4. The Board received a report on recent regulatory changes and program updates.

PUBLIC HEARINGS

None

CONSENT CALENDAR

1. Upon a motion by Member Leonardis and a second by Vice Chair Rogers, the Board voted 4-0 to approve the minutes of the May 3, 2018 Regular Board Meeting and the Executive Director financial report for the 12 months ended June 30, 2018.

FUTURE AGENDA ITEMS

None

BOARD MEMBER REPORTS

None

ADJOURNMENT

Chair Bernald adjourned the meeting of the Board at 5:46 pm until the next regular meeting, which will be held November 1, 2018.

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 1, 2018
To: West Valley Solid Waste Management Authority Board
From: Executive Director
Subject: **YTD Financial Report**

RECOMMENDED ACTION

Accept report on the Authority's FY 2018-19 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 2018-19. With 25% of the fiscal year passed, the report shows that the Authority expended \$75,000 or 12% of the approved FY 2018-19 budget.

Revenues and expenses for the period have not been posted due to staff turnover at the City of Campbell. These will be posted and included in the next quarterly report.

The preliminary fund balance of \$334,631 is an increase from the FY 2017-18 fund balance of \$297,131 and is primarily due to timing differences in the receipt of annual fee payments from WVC&R and its distribution.

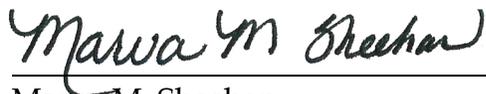
It has been the Board's policy, adopted February 2011, to maintain a fund reserve of \$200,000 with \$100,000 designated as an operating reserve and \$100,000 designated as a rate stabilization reserve.

FISCAL IMPACT

None

DOCUMENTS ATTACHED

Statement of Revenues, Expenditures, and Changes in Fund Balance - Budget and Actual September 30, 2018.



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, 2018

Acct #	Description	JPA Budget FY 2018-19	Year to Date Actual	Balance	YTD %
<u>Revenues</u>					
4410	Interest	\$ -	\$ -	\$ -	N/A
4970	City of Campbell	69,653		69,653	0%
4970	Town of Los Gatos	51,049		51,049	0%
4970	City of Monte Sereno	5,707		5,707	0%
4970	City of Saratoga	49,835		49,835	0%
4975	Franchise Agreement WVC&R	450,000	112,500	337,500	25%
4965	Other	1	-	1	N/A
	Total Revenues	<u>\$ 626,245</u>	<u>\$ 112,500</u>	<u>\$ 513,745</u>	<u>18%</u>
<u>Expenditures:</u>					
Services and Supplies:					
7424	Office Expense	\$ 500	\$ -	\$ 500	0%
7427	Special Departmental Exp. (Legal Services)	16,597	-	16,597	0%
7430	Prof. & Special Services (Executive Director)	130,985	-	130,985	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)	1,100	-	1,100	0%
7432	Other Contractual Services (Audit Svcs.)	5,760	-	5,760	0%
7433	Insurance (Liability)	2,552	-	2,552	0%
7435	Travel/Conf. & Meetings	4,000	-	4,000	0%
7438	Other Charges (Accounting & Bookkeeping)	8,751	-	8,751	0%
7675	JPA Solid Waste Distribution	450,000	75,000	375,000	17%
	Total Expenditures	<u>\$ 626,245</u>	<u>\$ 75,000</u>	<u>\$ 551,245</u>	<u>12%</u>
	Excess (deficiency) of revenues over (under) expenditures	-	37,500	37,500	
	Beginning Fund Balance 7/1/18 (Preliminary)	\$ 200,000	\$ 297,131		
	Ending Fund Balance	<u>\$ 200,000</u>	<u>\$ 334,631</u>		

WEST VALLEY SOLID WASTE MANAGEMENT AUTHORITY

Calendar of Future Agenda Items

February 7, 2019 Meeting

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

May 2, 2019 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 5, 2019 Meeting

- Receive and file annual CalRecycle Annual Reports

November 3, 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