

WEST VALLEY SOLID WASTE MANAGEMENT AUTHORITY

Executive Director

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Member Agencies

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

REGULAR MEETING AGENDA

February 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

1. Receive a report from West Valley Collection & Recycling to update the Board on the progress towards meeting its June 30, 2018 commitment to add GPS tracking and reporting capabilities to all route trucks.

NEW BUSINESS

2. Elect Chairperson and Vice Chairperson for 2018.
3. Receive and file a report summarizing the key points and dates from the collection agreement with West Valley Collection & Recycling (WVC&R).
4. Receive and file a report summarizing the key points and dates from the disposal agreement with Guadalupe Landfill.

5. Receive and file a report on recent regulatory changes and program updates.

PUBLIC HEARINGS

None

CONSENT CALENDAR

6. Approve minutes of November 2, 2017 Regular Board Meeting
7. YTD Financial Reports

EXECUTIVE DIRECTOR REPORT

FUTURE AGENDA ITEMS

BOARD MEMBER REPORTS

ADJOURNMENT

Next Regular Meeting: May 3, 2018, 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: February 1, 2018
To: West Valley Solid Waste Management Authority Board
From: Executive Director
Subject: **WVC&R Update on GPS Tracking and Reporting Software**

RECOMMENDED ACTION

Receive an oral report from West Valley Collection & Recycling to update the Board on the progress towards meeting its June 30, 2018 commitment to add GPS tracking and reporting capabilities to all route trucks.

DISCUSSION

At the November 2, 2017 Board Meeting, WVC&R committed to have fully functioning GPS tracking and reporting capabilities on all of its route trucks by June 30, 2018. The system proposed by WVC&R highlighted the following benefits:

- Integration with Customer Information/Billing System Route Manager.
- Ability to note locations where cans are not set out.
- Built in camera utilizing time date stamp as well as geotagging.
- Near real time transmittal of route data to Route Book Manager (Web App/Middleware) and end of day upload into Route Manager.
- Allows live dispatching of new work orders to tablets throughout the work day.
- Allows driver to enter custom notes or select from dropdowns.
- Integration with Route Optimization Tool to ensure routes are complete in the safest most efficient order.

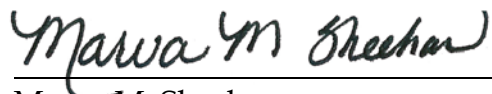
WVC&R was requested to present an update of its progress towards implementing the new system to ensure it is on target to meet the June 30, 2018 deadline.

FISCAL IMPACT

None

DOCUMENTS ATTACHED

None



Marva M. Sheehan
Executive Director

WEST VALLEY
SOLID WASTE MANAGEMENT
AUTHORITY

AGENDA REPORT

Date: February 1, 2018
To: West Valley Solid Waste Management Authority Board
From: Executive Director
Subject: **Key Points and Dates from WVC&R Agreement**

RECOMMENDED ACTION

Accept report on the key points and dates from the collection agreement with West Valley Collection & Recycling, LLC (WVC&R) that was effective March 1, 2014.

DISCUSSION

COLLECTION AGREEMENT, as of March 1, 2014

- Company
 - West Valley Collection & Recycling, LLC (a joint venture between GreenWaste Recovery, Inc. and Waste Connections of California, Inc.)
- Term
 - 10 years, expiring February 28, 2024
- Scope of Services
 - Collection of all separate solid waste, recyclable materials and green waste generated in the Authority and placed by the generator for collection.
 - Transporting collected materials to the designated disposal site, designated green waste processing site, designated construction and demolition debris processing site, and recyclable materials processing site.
 - Processing and marketing recyclable materials collected in the Authority by WVC&R
 - Special Services
 - Holiday tree collection
 - City-directed cleanups

- Annual cleanups
 - Public education, including a company website
- Customer Rates
 - Set by the company
 - Adjusted annually by change in CPI (except for rate year 16 where rates will be based on actual costs) effective July 1st of each year
 - Include Agency fees (vary by Agency)
 - Franchise fees
 - HHW collection fees
 - Street sweeping fees
 - Vehicle impact fees
 - JPA administrative fees
- Contract Terms
 - A ten year term ending February 28, 2024.
 - Expanded recyclable materials collected curbside (various metals, certain e-waste materials, fibers, plastic, and glass).
 - Added a second recycling coordinator for two years in order to increase outreach to schools and commercial customers.
 - Replaced existing collection vehicles with compressed natural gas vehicles in order to reduce greenhouse gas and particulate emissions.
 - Added specific provisions related to driver training and reporting of litter in order to comply with stormwater discharge permit (zero litter) requirements.
 - Added process to ensure WVC&R addresses chronic customer complaints in order to facilitate the resolution of such complaints.
 - Added a floor and cap to annual rate adjustments related to collection services (1.5% and 5% respectively) in order to provide rate stability.
 - Contractor pays Authority \$450,000 annually (\$4,500,000 over the term of the agreement) for uses such as but not limited to: 1) rate stabilization; 2) additional services desired by the Member agencies, their residents and businesses; and, 3) implementation of programs to comply with future regulatory changes.
- Contract Issues
 - Construction and Demolition Debris
 - Collection is part of WVC&R exclusive franchise agreement
 - Small, local haulers “poach” in the Authority area
 - Rates

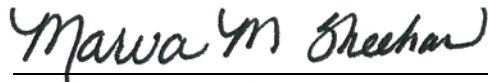
- Regulatory changes
 - AB 341 - Mandatory commercial recycling
 - AB 1826 - Commercial and Multifamily organics recycling
 - CalRecycle - 75% Diversion goals
 - SB 1383 - State Board required to adopt regulations to reduce organics disposal 50% by 2020 and 75% by 2025

FISCAL IMPACT

\$450,000 annual payment to the Authority

DOCUMENTS ATTACHED

None



Marva M. Sheehan
Executive Director

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WEST VALLEY
SOLID WASTE MANAGEMENT
AUTHORITY

AGENDA REPORT

Date: February 1, 2018
To: West Valley Solid Waste Management Authority Board
From: Executive Director
Subject: **Key Points and Dates from Guadalupe Landfill Agreement**

RECOMMENDED ACTION

Accept report on the key points and dates from the disposal agreement with Guadalupe Landfill.

DISCUSSION

DISPOSAL AGREEMENT

- Company
 - Guadalupe Rubbish Disposal Company, Inc. (a wholly owned subsidiary of Waste Management, Inc.)
- Term
 - Effective date, January 1, 2006
 - 15 years, expiring December 31, 2021
 - Option to extend by mutual agreement between the Authority and the company
- Materials Disposed/Processed (Required to be delivered to Guadalupe)
 - Solid Waste
 - Yard Waste
 - Construction and Demolition Debris
- Rates
 - Initially set as part of the contract negotiations
 - Adjusted annually by the change in CPI and any change to State and local fees

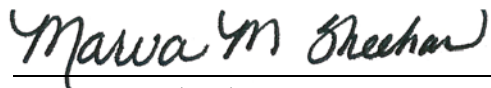
- Contract Amendment -
 - February 2, 2017
 - Processing of Yard Waste -
 - The Board approved an Amendment that allows Waste Management to compost greenwaste material. The Amendment was effective July 1, 2017.

FISCAL IMPACT

None

DOCUMENTS ATTACHED

None



Marva M. Sheehan
Executive Director

WEST VALLEY
SOLID WASTE MANAGEMENT
AUTHORITY

AGENDA REPORT

Date: February 1, 2018
To: West Valley Solid Waste Management Authority Board
From: Executive Director
Subject: **Recent Regulatory Changes and Program Updates**

RECOMMENDED ACTION

Legislation

No new laws were adopted by the State of California or Federal Government related to recycling, composting and waste reduction since our last meeting.

Ongoing

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 a comprehensive strategy to reduce emissions on short-lived climate pollutants, including methane and organics emissions.

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.

As part of its implementation process CalRecycle holds informal stakeholder workshops to review the draft regulations and reporting requirements. The next workshop is scheduled for March 21, 2018.

Reporting and enforcement is shared between the operators and agencies, however, ultimate enforcement is the responsibility of the agencies including CalRecycle, Local

Enforcement Agencies (LEA's) and Joint Powers Authority's (JPA's). Agency enforcement is expected to begin in 2025.

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. Regulations take effect and are enforceable by CalRecycle against jurisdictions, facilities, and haulers and programs need to be in place by January 1, 2022.

In order to fully meet the requirements of AB 1383, the Authority will need to begin planning for a food waste collection program for residential customers and begin exploring other opportunities such as food rescue.

There are several items for future consideration:

- Each Agency will need to establish a mandatory organics ordinance for all generators including self-haul.
- The agreement with WVC&R expires in 2024.

A competitive procurement process or sole source negotiations should commence no later than 2022 in order to successfully meet the 2025 AB 1383 milestone of 75% in organics disposal compliance.

The new agreement will need to include sections in order to meet the legislative requirements.

- The disposal agreement with Waste Management expires in 2021. A competitive procurement process or sole source negotiations are expected to start in 2020. Waste Management currently processes the greenwaste material.

A new disposal agreement or agreements with multiple companies will need to include capacity for processing all WVSWMA's organics material not just the current greenwaste material.

AB 319

AB 319 would require that every plastic bottle sold in California has a cap that is connected to its bottle by 2020. By requiring connected caps, this bill would prevent bottle cap pollution in our environment, save bottle manufacturers money, and provide additional material for recyclers to recover. Bottle caps are currently recovered at a low

rate compared to bottles and are one of the top three items found in every large-scale beach clean-up in California where they are mistaken for food by wildlife, contribute to the growing plastic pollution in our ocean, and contribute to local government clean-up costs.

The bill passed committee vote on January 9, 2018 and was forwarded to the State Assembly.

Other Bay Area Programs

Sunnyvale Food Scraps Collection

In December 2017, The City of Sunnyvale completed the rollout of its citywide food scraps collection program to approximately 29,000 customers. Preliminary results are encouraging with the City reporting that participation has exceeded its initial expectations.

After completing a three week sampling of containers in January 2018, the City estimates it is recovering approximately 2.8 tons of material per route or 20 tons per day. This equates to approximately 5,000 tons on an annual basis versus the 4,000 tons expected.

The food scraps are delivered to Sustainable Alternative Feed Enterprises (SAFE) in Santa Clara and processed into animal feed products. SAFE has indicated to the City the material delivered has been relatively clean and easy to process.

The City is currently analyzing the information collected and expects to have a report in February 2018 with more detailed information and statistics.

Silicon Valley Food Rescue

The Silicon Valley Food Rescue was awarded a CalRecycle grant in the amount of \$313,000 and will be moving forward with its plans to reduce food waste and hunger in Santa Clara County.

The grant will help fund its "A La Carte" initiative and be used for the purchase of trucks to collect and distribute edible surplus food from corporate and university campuses throughout the county.

City of Cupertino Zero Waste Policy

The Cupertino City Council approved a Zero waste policy at its December 19, 2017 meeting. The policy memorializes many current practices within the City by its residents and employees and will help achieve targets recommended in its Climate Action Plan.

The Policy highlights 16 actions the city intends utilize to achieve zero waste with overall objectives to:

- Protect the environment and conserve natural resources.
- Prevent pollutants from entering the air, land, and water.
- Follow the principle of highest and best use so that reducing and reusing waste materials occurs first, followed by recycling and composting, so that eventually no material goes to landfill or high-temperature destruction.
- Create a more sustainable, efficient economy.
- Preserve the environment for future generations.

FISCAL IMPACT

No immediate fiscal impact

DOCUMENTS ATTACHED

None



Marva M. Sheehan
Executive Director

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Executive Director

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Member Agencies

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

MEETING MINUTES

November 2, 2017

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

CALL TO ORDER

At 5:00 pm Chair Paul Resnikoff called the meeting to order.

PLEDGE OF ALLEGIANCE

ROLL CALL

Chair Paul Resnikoff, representing Campbell, Vice Chair Mary-Lynne Bernald, representing Saratoga, Member Curtis Rogers, representing Monte Sereno, and Member Steve Leonardis, representing Los Gatos, 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. 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 WVCR 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.

2. The Board received and filed a report on recent regulatory changes and program updates.

PUBLIC HEARINGS

None

CONSENT CALENDAR

3. Upon a motion by Board Member Leonardis and a second by Vice Chair Bernald, the Board voted 4-0 to approve the minutes of the September 7, 2017 Regular Board Meeting and the Executive Director financial report for the three months ended September 30, 2017.

EXECUTIVE DIRECTOR REPORT

None

FUTURE AGENDA ITEMS

The Board requested an update on WVC&R's implementation of driver tablets and routing software at the February 1, 2018 Board Meeting.

BOARD MEMBER REPORTS

Vice Chair Bernald thanked WVC&R and Staff for successful resolution to an ongoing customer complaint.

CONVENE TO CLOSED SESSION

ADDRESSING THE BOARD

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The Board convened to closed session for the purpose of evaluation of the Executive Director and Authority Counsel.

RECONVENE TO OPEN SESSION

REPORT ON ACTION TAKEN DURING CLOSED SESSION

There were no reportable actions from the closed session.

ADJOURNMENT

Chair Resnikoff adjourned the meeting at 6:25 pm until the next regular meeting to be held February 1, 2018.

ADDRESSING THE BOARD

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WEST VALLEY
SOLID WASTE MANAGEMENT
AUTHORITY

AGENDA REPORT

Date: February 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 2017-18 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 December for FY 2017-18. With 50% of the fiscal year passed, the report shows that the Authority expended \$240,632 or 42% of the approved FY 2017-18 budget.

The preliminary fund balance of \$219,653 is a decrease of \$41,296 from the FY 2016-17 fund balance of \$260,949 and is primarily due to timing differences in the receipt of annual fee payments from WVC&R and the distribution to the member agencies.

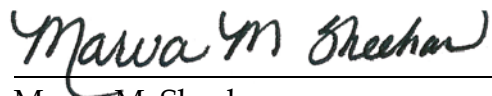
It has been the Board's policy, adopted February 2011, to maintain a fund reserve of \$200,000 with \$100,000 designated as an operating reserve and \$100,000 designated as a rate stabilization reserve.

FISCAL IMPACT

None

DOCUMENTS ATTACHED

Statement of Revenues, Expenditures, and Changes in Fund Balance - Budget and Actual December 31, 2017.



Marva M. Sheehan
Executive Director

West Valley Solid Waste Management Authority
Statement of Revenues, Expenditures, and
Changes in Fund Balance - Budget and Actual
December 31, 2017

Acct #	Description	JPA Budget FY 2017-18	Year to Date Actual	Balance	YTD %
<u>Revenues</u>					
4410	Interest	\$ -	\$ -	\$ -	N/A
4970	City of Campbell	49,336	49,336	-	100%
4970	Town of Los Gatos	36,351	-	36,351	0%
4970	City of Monte Sereno	4,026	-	4,026	0%
4970	City of Saratoga	35,011	-	35,011	0%
4975	Franchise Agreement WVC&R	450,000	150,000	300,000	33%
4965	Other	-	-	-	<u>N/A</u>
	Total Revenues	<u>\$ 574,724</u>	<u>\$ 199,336</u>	<u>\$ 375,388</u>	<u>35%</u>
<u>Expenditures:</u>					
Services and Supplies:					
7424	Office Expense	\$ 500	\$ -	\$ 500	0%
7427	Special Departmental Exp. (Legal Services)	9,322	420	8,902	5%
7430	Prof. & Special Services (Executive Director)	87,259	49,613	37,646	57%
7430	Prof. & Special Services (Other)	5,000	-	5,000	0%
7432	Other Contractual Services (Countywide Support)	1,000	1,300	(300)	130%
7432	Other Contractual Services (Website Administration)	1,068	-	1,068	0%
7432	Other Contractual Services (Audit Svcs.)	5,595	500	5,095	9%
7433	Insurance (Liability)	2,479	1,299	1,180	52%
7435	Travel/Conf. & Meetings	4,000	-	4,000	0%
7438	Other Charges (Accounting & Bookkeeping)	8,501	-	8,501	0%
7675	JPA Solid Waste Distribution	450,000	187,500	262,500	42%
	Total Expenditures	<u>\$ 574,724</u>	<u>\$ 240,632</u>	<u>\$ 334,092</u>	<u>42%</u>
	Excess (deficiency) of revenues over (under) expenditures	-	(41,296)	(41,296)	
	Beginning Fund Balance 7/1/17	\$ 200,000	\$ 260,949		
	Ending Fund Balance	<u>\$ 200,000</u>	<u>\$ 219,653</u>		

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WEST VALLEY SOLID WASTE MANAGEMENT AUTHORITY

Calendar of Future Agenda Items

May 3, 2018 Meeting

- Board meeting schedule
- Ratify Guadalupe Landfill disposal contractual rate adjustment
- Ratify WVC&R contractual collection rate adjustment
- Approve Authority budget
- Accept Audited Financial Statements

September 6, 2018 Meeting

- Receive and file annual CalRecycle Annual Reports

November 1, 2018 Meeting

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

February 7, 2019 Meeting

- Elect new officers
- Review of Collection and Disposal contracts
- Review Executive Director and Authority Counsel contracts

Recurring Meeting Agenda Items

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