



WEST VALLEY

Solid Waste Management Authority

CAMPBELL • LOS GATOS • MONTE SERENO • SARATOGA

BOARD MEETING AGENDA

Teleconference/Public Participation Information

Meeting Location

The West Valley Solid Waste Management Authority (Authority) will hold this meeting via teleconference and in person. The location for in-person attendance is:

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

September 5, 2024

5:00 p.m.

General Information

Members of the public may attend the Board Meeting virtually (using the link below) or physically (at the above-mentioned location). For those attending in person, please refer to the last bullet item below. For those attending virtually, please refer to each of the four bullet items below related to attendance and public comment:

- Submit any written comments via email to the West Valley Solid Waste Management Authority (Authority) at Authority@WestValleyRecycles.com. The public may submit comments prior to or during the public comment time slot provided at the meeting. During the Board Meeting, the Authority Board of Directors will address any comments received by the Authority in advance of the meeting and such comments will become part of the public record.
- Observe and address the Board telephonically by waiting for the appropriate public comment time slot and then connecting to Zoom™ using the following credentials:

Link to join the Virtual Meeting: <https://us02web.zoom.us/j/85332842840>

Call in Phone Number: +1 (669) 444-9171

Meeting ID: 853 3284 2840

- Wait for the Chairperson to call for public comment. At this time, if you wish to address the Board, please use the “raise hand” feature and the Chairperson will call on you when it is your turn.



Note: If you are not attending in person, Authority staff will need to temporarily promote you to a panelist and unmute you for you to be heard.

- Observe and address the Board in person by listening to the Chairperson, who will call for public comment. Once the public comment period has opened, please either stand or raise your hand and the Board will call on you to speak.

In accordance with the Americans with Disabilities Act, California Law, and the Governor's Executive Order, it is the policy of the Authority to offer public meetings that are readily accessible to everyone, including those with disabilities. An individual may request the Authority provide reasonable modifications or accommodations appropriate to allow such an individual to observe and address the Board. If you are disabled and require accommodations to participate, please contact the Authority at least 48 hours in advance of the meeting at Authority@WestValleyRecycles.com with the following information: name, phone number, email, and type of assistance required.

Agenda Items

Call to Order

Pledge of Allegiance

Roll Call

Orders of the Day

Each Board Meeting has a preset order of business that is prepared in advance, pre-set with a particular order and start time, and included in each Board Meeting agenda. The Board Chair, or Board Member majority (by vote), may change a Board Meeting's order of business (except for public hearings).

Oral Communications from the Public

Written Communications

None

Presentations and Informational Items

1. Receive a presentation on the implementation of the Agreement between the Authority and Waste Connections of California Inc., d/b/a West Valley Collection & Recycling (WVC&R), for Organic Materials, Recyclable Materials, and Solid Waste Collection



Services and Organic Materials and Recyclable Materials Processing (Collection Agreement).

2. Receive a presentation and discuss the implementation of the new rate structure (effective July 1, 2024).

Consent Calendar

3. Receive a report on the CalRecycle 2023 Electronic Annual Reports.
4. Receive a report on recent regulatory and legislative changes.
5. Receive a report on the Authority's solid waste and customer service programs.
6. Approve Minutes of the May 22, 2024 Authority Board Meeting.
7. Receive the Executive Director Year-to-Date Financial Report for the year ended June 30, 2024.

Old Business

8. Authorize the Executive Director to negotiate and execute an agreement for the Pilot with Mill Industries Inc (Mill).

New Business

None

Executive Director Report

Future Agenda Items

Board Member Reports

Adjournment

Next Regular Meeting: November 7, 2024, 5:00 p.m.

This page intentionally left blank



Agenda Item No. 3

Meeting Date: September 5, 2024

To: West Valley Solid Waste Management Authority Board

From: Executive Director

Subject: 2023 CalRecycle Annual Reports

AGENDA ITEM REPORT

Recommended Action

Receive a report on the CalRecycle 2023 Electronic Annual Reports.

Discussion

Annual Report

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 the jurisdiction's waste planning documents, which include the Source Reduction and Recycling Element (SRRE) and the Household Hazardous Waste Element (HHWE).

Assembly Bill (AB) 341 requires all commercial businesses (that generate four or more cubic yards of trash per week) and all multi-family dwellings (with five or more units) to subscribe to recycling service. AB 341 also requires all cities and counties to divert from landfill a minimum of 75% of the waste generated by 2020.

AB 1826 requires various levels of organics generators to subscribe to organics collection and have a "phased-in" approach beginning in 2016 and full implementation by December 31, 2020. As of December 31, 2020, businesses with two or more cubic yards per week of solid waste must arrange recycling services for organics collection services.

AB 1826 required those entities that generate certain levels of weekly solid waste to subscribe to organics collection using a "phased-in" approach beginning in 2016 and required full implementation by December 31, 2020. Furthermore, by December 31, 2020, entities that had two or more cubic yards per week of solid waste were required to arrange for organics collection and recycling services.



Senate Bill (SB) 1383 establishes targets to achieve a 50% reduction in the disposal of organic waste (from 2014 levels) by 2020, and a 75% reduction by 2025. Additionally, the law grants CalRecycle the regulatory authority required to achieve the organic waste disposal reduction targets and establishes an additional target that nothing less than 20% of current disposed edible food be recovered for human consumption by 2025. The law focuses on both residential and commercial generators. On January 1, 2022, SB 1383 regulations took effect and became enforceable by CalRecycle. On January 1, 2024, SB 1383 began requiring jurisdictions to impose penalties on non-compliant generators.

The West Valley Solid Waste Management Authority (Authority) completed and submitted the Electronic Annual Report (EAR) on behalf of the Cities of Campbell, Monte Sereno, and Saratoga, and the Town of Los Gatos (Member Agencies) on August 1, 2023. Additionally, the Authority and CalRecycle conducted annual site visits in July of 2024 to review and assess program participation.

Diversion Requirement

SB 1016, which became effective in 2007 and includes a 50% diversion requirement, is used by CalRecycle to calculate diversion compliance. CalRecycle calculates a per capita waste disposal target and compares the target to actual per capita waste disposal. *If the actual per capita disposal is less than the targeted per capita disposal, CalRecycle considers the jurisdiction compliant.* Since the inception of SB 1016 in 2007, every Member Agency has been compliant, as displayed in Figure 1.



Figure 1. CalRecycle SB 1016 Disposal Per Capita (lbs./person/day)

	Campbell	Los Gatos	Monte Sereno	Saratoga
Per Capita Disposal Target	5.2	6.0	3.9	4.2
2007	4.7	4.1	1.4	2.7
2008	4.4	3.9	1.4	2.9
2009	3.8	3.3	1.2	2.5
2010	3.9	3.6	1.1	2.8
2011	3.8	3.7	1.5	2.8
2012	4.0	3.7	1.5	2.9
2013	4.1	4.0	2.1	2.9
2014	4.1	3.9	1.7	2.9
2015	4.2	4.5	2.0	3.1
2016	4.5	3.8	1.7	3.1
2017	4.7	4.4	1.6	3.1
2018	4.6	4.1	1.0	3.0
2019	4.7	4.5	1.3	3.2
2020	4.2	3.4	1.5	2.6
2021	3.9	3.2	1.4	2.6
2022	3.9	3.0	0.9	2.3
2023	3.7	3.2	0.5	2.4

Documents Attached

None

Fiscal Impact

None

This page intentionally left blank



WEST VALLEY

Solid Waste Management Authority

CAMPBELL • LOS GATOS • MONTE SERENO • SARATOGA

Agenda Item No. 4

Meeting Date: September 5, 2024

To: West Valley Solid Waste Management Authority Board

From: Executive Director

Subject: Recent Regulatory and Legislative Changes

AGENDA ITEM REPORT

Recommended Action

Receive a report on recent regulatory and legislative changes.

Discussion

California Legislative Updates

The second year of the 2023-24 State of California (State) legislative session is in progress. The "2024 Legislative Session" section below highlights current Assembly Bills (AB), Senate Bills (SB), and other legislation identified by the West Valley Solid Waste Management Authority's (Authority) Executive Director as being of interest to the Authority. The deadline for bills to be passed is August 31, 2024, and the Governor has until September 30, 2024 to sign or veto bills that passed. In addition to current bills, the "Existing Legislation and Regulations" section below identifies updates to rulemaking processes and implementation of certain existing legislation. The Authority Executive Director will continue to monitor and update the Board on new bills or modifications to existing bills that may be of particular interest to the Board, as the legislative year progresses.

2024 Legislative Session

Organic Waste and Methane Reduction Bills

Senate Bill (SB) 1383 Modifications

- **AB 2346 (Lee)** – This bill expands the activities that jurisdictions may count toward their SB 1383 organic waste product procurement target, including on-farm, home, and community composting. Until 2030, jurisdictions may also count investments in organics infrastructure toward their target (calculated as the organics capacity created, multiplied by the amount the jurisdiction funded).



SB 1383 regulations allow jurisdictions to procure organic waste product through direct service providers (DSP), provided an agreement is in place. This bill would specify that the DSP agreements may include the procurement of organic waste products on a prospective basis, provided the actual purchase of those products occurs during the year for which the local jurisdiction seeks credit.

- **AB 2514 (Aguiar-Curry)** – This bill would exempt counties with fewer than 70,000 residents from SB 1383. This bill would define pyrolysis as the thermal decomposition of organic material at elevated temperatures in the absence of gases such as air or oxygen. This bill would require CalRecycle, no later than January 1, 2026, to amend SB 1383 regulations to include hydrogen and pipeline biomethane converted from diverted organic waste as a recovered organic waste product attributable to a local jurisdiction’s procurement target.
- **AB 2902 (Wood)** – This bill would extend the SB 1383 rural jurisdiction exemption indefinitely, and, commencing January 1, 2027, require those jurisdictions to perform specific organic waste diversion activities. The bill would require CalRecycle to deduct the number of residents in low population and high elevation waiver areas from the population number used to calculate a jurisdiction’s organic waste product procurement target. It would establish new waiver processes for jurisdictions with low-waste generation or issues with local bear populations. It would require CalRecycle to develop technical assistance materials and model ordinance and franchise language regarding community composting. It would require CalRecycle to evaluate local carbon farming, food recovery approaches, and animal feed operations.
- **SB 972 (Min)** – This bill would require CalRecycle, CARB, and CAL EPA to hold at least two joint meetings per year to coordinate the implementation of SB 1383.
- **SB 1175 (Ochoa Bogh)** – This bill would require CalRecycle to consider alternatives to census tracts when deciding thresholds for SB 1383 low-population or elevation waivers and would require low-population waivers to be valid for a period of ten years.
- **SB 1232 (Grove)** – This bill would exempt a portion of a county from the prescribed organic waste collection requirements under SB 1383 if the county proposed a fee for the collection of organic waste in that portion of that county and the county did not impose the fee because, when submitted to property owners for approval, it was rejected (in relation to Prop 218).

See food waste/food recovery subsection below for bills related to the food recovery components of SB 1383.



Food Waste and Food Recovery

- **AB 660 (Irwin)** – This bill would require, on or after July 1, 2026, manufacturers, processors, or retailers responsible for labeling food with quality or safety dates to use standardized terms on such labels and would prohibit a person from selling a food item on or after this date that does not comply with such labeling requirements.
- **AB 2311 (Bennett)** – This bill would expand the CalRecycle grant program to provide financial assistance for the recovery of edible food, as specified.
- **AB 2658 (Bains)** – This bill would exempt “food processing establishments” that do not divert organic waste to landfills, as specified, from SB 1383 requirements.

Advanced Clean Fleets Implementation

- **AB 2626 (Dixon)** – This bill would extend compliance deadlines for local government set forth in the Advanced Clean Fleets Regulation by ten years. The bill will prohibit enforcement action against a local government for violating the Advanced Clean Fleets Regulation if the alleged violation occurs before January 1, 2025.
- **AB 3219 (Sanchez)** – This bill would provide that the requirements of the Advanced Clean Fleets Regulation do not apply to the purchase by a local government of vehicles with a gross vehicle weight rating greater than 8,500 pounds if the price of the zero-emission version of the vehicle is more than an unspecified percentage of the price of a comparable vehicle with an internal combustion engine.

Organic Waste Processing

- **SB 1045 (Blakespear)** – This bill would require, on or before June 1, 2026, the Office of Planning and Research, in consultation with CalRecycle, to develop a model zoning ordinance that facilitates the siting of composting facilities by cities or counties to meet organic waste reduction goals. This bill, beginning on the date of completion of the model zoning ordinance and before January 1, 2027, would require a city or county, upon amending any zoning ordinance, to additionally amend an appropriate zoning ordinance to allow composting facilities based on the model ordinance. By increasing the responsibilities of a city or county, the bill would impose a State-mandated local program. The bill includes additional specified requirements for districts or regional boards that receive compost facility permit applications.
- **SB 1046 (Laird)** – This bill would require CalRecycle to prepare and certify, by January 1, 2027, a program environmental impact report that streamlines the process with which jurisdictions can develop and site small and medium compostable material handling facilities or operations, as defined, for the processing of organic material.



Plastics Reduction and Recycling Bills

- **AB 2236 (Hart)** – The State prohibits a grocery store from providing a single-use carryout bag, as defined, to a customer, with specified exceptions. This bill would expand the exemptions to exempt bags that are designed to protect a purchased item from damaging or contaminating other purchased items in a checkout bag, or to contain an unwrapped food item, if the bag is provided to a customer before the customer reaches the point of sale. The bill would revise the definition of “recycled paper bag” to require the bag be made from 100% post-consumer recycled materials, without exception. The bill would also ban plastic film material in the production of reusable grocery bags sold by a store to a customer at the point of sale. The bill would repeal provisions relating to certification of reusable grocery bags and certain obsolete at-store recycling program requirements.
- **AB 2761 (Hart)** – This bill would ban PVC plastic and prohibit other plastic packaging containing other certain chemicals by January 1, 2026.
- **AB 2511 (Berman)** – This bill would extend the inoperative date of the market development payment program, established by the California Beverage Container Recycling and Litter Reduction Act, to January 1, 2026.
- **SB 1053 (Blakespear)** – This bill would, commencing January 1, 2026, revise and recast provisions of existing State law prohibiting grocery stores from providing single-use carryout bags to, among other things, expand the exemptions to include a bag used solely to contain or wrap specified uncooked foods and other specified items to avoid contamination, prevent damage from moisture, or for sanitary, public health, or environmental protection purposes. The bill would revise the definition of “recycled paper bag” to require it be made from 100% post-consumer recycled materials, without exception. The bill would also require a reusable grocery bag sold by a store to a customer at the point of sale to meet different requirements including prohibiting plastic film material in bag production.

The bill would repeal certain provisions relating to certification of reusable grocery bags, voluntary compliance by other retail establishments, and certain obsolete at-store recycling program requirements.

Extended Producer Responsibility (EPR) / Product Stewardship

- **AB 863 (Aguiar-Curry)** – This bill would make carpet stewardship organizations that violate a provision of existing carpet stewardship law three times ineligible to act as an agent to administer a carpet stewardship plan. This bill would also increase the penalty amounts for violations of the carpet stewardship laws. This bill additionally requires the approved carpet stewardship organization to make specified amounts of assessments received for carpets sold in the State available for grants and apprenticeship programs.



- **AB 1238 (Ward)** – This bill would require CalRecycle to develop alternate alternative management standards for recycling managing photovoltaic modules, including, but not limited to, that they promote the safe collection, reuse, and recycling of photovoltaic modules.
- **SB 615 (Allen)** – The bill would establish product stewardship requirements for vehicle traction batteries, include ensuring they are recovered and reused, repurposed, remanufactured, or remanufactured and eventually recycled at the end of their useful life. The bill establishes the specified roles and requirements for vehicle manufacturers, automobile dealers, dismantlers, repair dealers, nonvehicle secondary users, battery manufacturers, battery suppliers and qualified facilities. The bill would establish requirements for a battery exchange program and specified reporting.
- **SB 707 (Newman)** – This bill would enact the Responsible Textile Recovery Act of 2023, which would require producers to establish a stewardship program for the collection and recycling of any postconsumer apparel or postconsumer textile article that is unwanted by a consumer.
- **SB 1066 (Blakespear)** – This bill would establish an extended producer responsibility program for marine flares.
- **SB 1143 (Allen)** – This bill would expand the scope of the current architectural paint stewardship program to include “paint products” defined as architectural coatings, aerosol coating products, nonindustrial coatings, and coating-related products. The bill would exempt these products until January 1, 2028 or until the date that these products get implemented into the stewardship plan, whichever comes first.
- **SB 1280 (Laird)** – This bill would, on and after January 1, 2028, prohibit the sale, or offer for sale, of propane cylinders unless they are reusable or refillable,
- **SB 1384 (Dodd)** – This bill would establish “right to repair” requirements for manufacturers of powered wheelchairs, including the requirement for manufacturers to provide parts, documentation, and other tools to owners and/or repair providers on reasonable terms. Repair providers would be required to provide notice to customers before providing such repair services.
- **SB 1231 (Allen)** – Existing law, SB 54, prohibits the sale of certain single-use packaging and plastic food service ware, unless deemed recyclable or compostable by CalRecycle. This bill would establish a process for producers to petition CalRecycle to identify material types and forms that CalRecycle considers recyclable. Petitions to CalRecycle would be required to be made on or before January 1, 2026, and CalRecycle would be required to approve or deny



the petition within 60 days.

Existing law, SB 343, establishes standards for defining recyclability and prohibits the use of “chasing arrows” on products that do not meet those standards, subject to certain exemptions. This bill would extend, by 12 to 24 months relative to the date of CalRecycle’s material characterization studies, certain existing exemptions from those labeling requirements. The author of this bill has expressed a goal of aligning the timelines and requirements between SB 54 and SB 343.

General Solid Waste

- **AB 2244 (Ting)** – This bill would prohibit, on and after January 1, 2025, a paper receipt from containing intentionally added bisphenol A, and, on and after January 1, 2026, from containing any intentionally added bisphenols.
- **AB 2632 (Wilson)** – This bill would prohibit a city (including a charter city, a county, or a city and county) from prohibiting a thrift retail store from receiving used and donated items for sale or for reuse or recycling. The bill also includes details regarding zoning and standards for thrift stores.
- **SB 1208 (Padilla)** – This bill would expand the definition of “landfill used for the disposal of nonhazardous solid waste” to include a disposal site regulated by a regional water board as a Class II landfill, in addition to a Class III landfill, as provided. The bill would also prohibit a regional water board from issuing a waste discharge permit for a new landfill in areas around the Tijuana River, as specified.
- **PFAs-Related Bills** – AB 347 (Ting) would require the Department of Toxic Substance Control (DTSC) to adopt guidelines regarding perfluoroalkyl and polyfluoroalkyl substances (PFAS) for cookware; and AB 2515 (Papan) would prohibit PFAs in menstrual products.

Ballot Initiatives

- **The Taxpayer Protection and Government Accountability Act** – On June 18, 2024, the California Supreme Court ruled that this initiative would have substantially altered the State’s basic plan of government, and therefore a ballot initiative isn’t the proper way to address this issue. As a result, this Act is no longer eligible to be placed on the November ballot.

Local

The Technical Advisory Committee (TAC) of the Santa Clara County Recycling and Waste Reduction Commission (RWRC) meets monthly. In addition, multiple local subcommittees attend TAC including, but not limited to, those related to SB 1383 and public education and outreach. Representatives from the cities of Campbell, Monte Sereno, Saratoga; the Town of Los



Gatos (Member Agencies) and the Authority are attending the meetings. Most recently, TAC has provided agencies with the digital education and outreach materials that Tripepi Smith developed as part of the “Why Recycle Food Scraps” education and outreach campaign. TAC is also discussing how to address concerns around declining funding from County fees received on solid waste tons disposed in the County. The Authority will be participating in these discussions at the regularly scheduled TAC meetings. Additionally, the Authority is a member of a TAC subcommittee formed solely to review the need for modifications to the current fee program.

Existing Legislation and Regulations

- **SB 54:** SB 54 (Plastic Pollution Prevention and Packaging Producer Responsibility Act) was signed into law on June 30, 2022. The bill requires producers to ensure that single-use packaging and single-use plastic food service ware are recyclable or compostable by 2032 and achieve 25% source reduction and a 65% recycling rate of covered materials, on specified timeframes. The bill requires producers of covered materials to join a Producer Responsibility Organization (PRO), which shall be responsible for implementing programs, submitting plans and reports, and meeting established targets. The PRO is required to fully fund the cost of the program, including costs incurred by local jurisdictions and recycling service providers for managing covered materials.

CalRecycle is required to finalize regulations to implement SB 54 By January 1, 2025. Some recent developments in the SB 54 rulemaking and implementation process include:

- The formal rulemaking period for the SB 54 regulations has now begun. CalRecycle released the first draft of the SB 54 regulations on December 28, 2023, and a revised version on March 8, 2024. The public comment period closed on May 8, 2024. CalRecycle is currently reviewing and preparing required responses to over 2,500 individual comments.
- On July 1, 2024, in accordance with the SB 54 timeline, CalRecycle published a revised list of SB 54 covered material categories. The list does not include a determination of whether each material type is potentially recyclable or compostable in the State; however, CalRecycle will update those determinations annually starting January 1, 2025. SB 54 will require all of California’s curbside programs to accept materials on the covered materials list deemed compostable or recyclable.
- CalRecycle appointed an Advisory Board with representatives from a variety of sectors. The Advisory Board meetings will occur on an on-going basis and are open for public attendance and comment. The Advisory Board’s most recent meeting occurred on August 16, 2024. CalRecycle posts past meeting recordings and materials on the CalRecycle website.

Engagement from local jurisdictions will be critical in shaping the regulations and ensuring



the statute's intent to relieve the burden from local jurisdictions and their ratepayers is realized. The Authority and its Member Agencies can engage in a variety of ways, such as: attending informational webinars; joining working groups; attending CalRecycle public workshops; submitting individual or coalition comment letters; and, discussing early preparation for potential program impacts.

The Authority's Executive Director will continue to participate in the rulemaking process and other stakeholder collaboration opportunities and will update the Board with any developments in the regulations that may impact Member Agencies.

- **AB 1201 and SB 343:** AB 1201 (compostability labeling) and SB 343 (recyclability labeling), are both currently in the CalRecycle rulemaking process. On December 21, 2023, as required by AB 1201, CalRecycle released a determination declaring the non-feasibility of separately collecting organic waste suitable for use in organic agricultural applications from organic waste not suitable for such use. This determination will have impacts on the determinations of recyclability and compostability of the SB 54 covered materials category list. There will be other intersections between AB 1201, SB 343, and SB 54, and the Authority's Executive Director will be tracking these developments.
- **Advanced Clean Fleet (ACF) Regulations:** The California Air Resources Board (CARB) developed regulations to transition all medium and heavy-duty diesel trucks to zero-emissions vehicles (ZEVs) by 2045. State and local government, including city, county, special district, and State agencies, are required to ensure 50% of fleet vehicle purchases are ZEVs beginning in 2024 and 100% of fleet vehicles purchased are ZEVs by 2027. These timelines and requirements are subject to change pending the passage of AB 2626 and/or AB 3219 (See Advanced Clean Fleets Implementation section above). "Specialty vehicles," including solid waste collection fleets, have more time to comply, if selecting the "ZEV milestones" option which specifies the following years by which specified percentages of solid waste fleet vehicle purchases must be ZEVs: 10% by 2030, 25% by 2033, 50% by 2036, 75% by 2039, and 100% by 2042. Certain exemptions may be available related to infrastructure construction delays, delivery delays, availability, daily usage amounts, back-up vehicles, and emergency conditions. Additionally, CARB's final resolution acknowledged the importance of biomethane derived from organic waste to implement SB 1383. CARB will require staff to coordinate across State agencies and provide, by 2025, a report describing how the implementation of ACF regulations, SB 1383, and SB 1440 will be harmonized.

Documents Attached

None

Fiscal Impact

None



Agenda Item No. 5

Meeting Date: September 5, 2024

To: West Valley Solid Waste Management Authority Board
From: Executive Director
Subject: Recent Solid Waste Program and Customer Service Updates

AGENDA ITEM REPORT

Recommended Action

Receive a report on the West Valley Solid Waste Management Authority's (Authority) solid waste programs and customer service.

Discussion

Summary

The Authority contracts with West Valley Collection & Recycling (WVC&R) to provide solid waste and recycling collection services. In addition to providing quality collection service, WVC&R is responsible for providing various forms of education, outreach, and other customer service to customers within the Authority, ensuring successful recycling programs that conform and comply with requirements imposed by the State of California (State). The Authority monitors WVC&R's programs and performance to determine if WVC&R's performance is meeting the requirements of the Agreement between the Authority and Waste Connections of California Inc., d/b/a West Valley Collection & Recycling (WVC&R) for Organic Materials, Recyclable Materials, and Solid Waste Collection Services and Organic Materials and Recyclable Materials Processing (Collection Agreement). The figures in this agenda report summarize the status of each program and indicate the following program trends.

- **Customer Participation in Organics Programs.** During the implementation of organics collection programs in 2022, there was an increase in the total volume of service provided to customers as organics collection containers were provided to customers that did not previously subscribe to organics service. During 2022 and 2023, there was a steady increase in the total amount of organic waste collected; however, organic recycling participation began to slow and level off during the later months of 2023 into 2024. The Authority expects to see an increase in the amount of recycled and organic materials diverted from landfill in 2024, resulting from the launch of new Authority and WVC&R branding and related enhancements to the Authority's education and outreach program.



- **Bulky Item Collection.** The Authority has seen increased participation in the bulky item collection program due to enhancements negotiated as part of the Collection Agreement with WVC&R. Single family residents now receive three annual on-call bulky item collections and multi-family residents receive one annual on-call bulky item collection.
- **Missed Collections.** The Board and Authority have continually monitored the reliability of collection service, due to WVC&R's various performance issues. WVC&R started showing improvement in September of 2023; however, WVC&R's collection reliability decreased in early 2024, which may have been caused by the implementation of new routes under the new Collection Agreement. Recent months have shown decreased missed collections when compared to the spike in early 2024.
- **Customer Service.** The number of calls received by WVC&R's customer service team follows the same trend line as missed collections, which is expected due to the increased number of customers calling in to report such service issues. Call volumes and hold times have increased in 2024 as Authority residents and business have questions about changes to solid waste programs, such as multi-family bulky-item collection, and rate adjustments.

Collected Tonnage

Figures 1 through 4 represent WVC&R's reported tonnage data by material type for July 2023 through June 2024 in the cities of Campbell, Monte Sereno, Saratoga; and the Town of Los Gatos (Member Agencies).

Remainder of page intentionally left blank



Figure 1. City of Campbell Tonnage

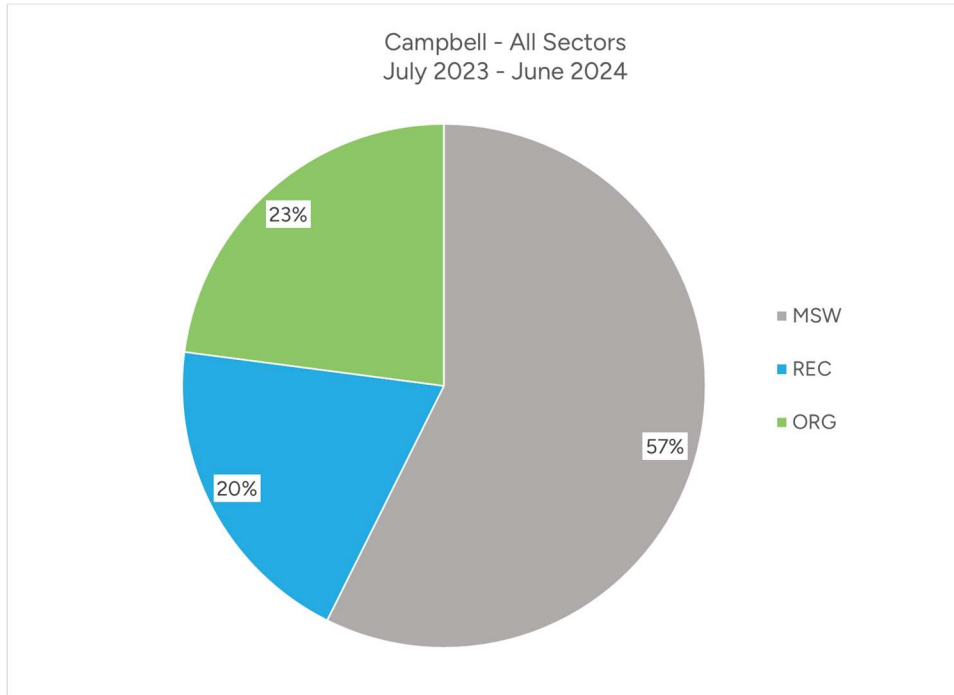


Figure 2. Town of Los Gatos Tonnage

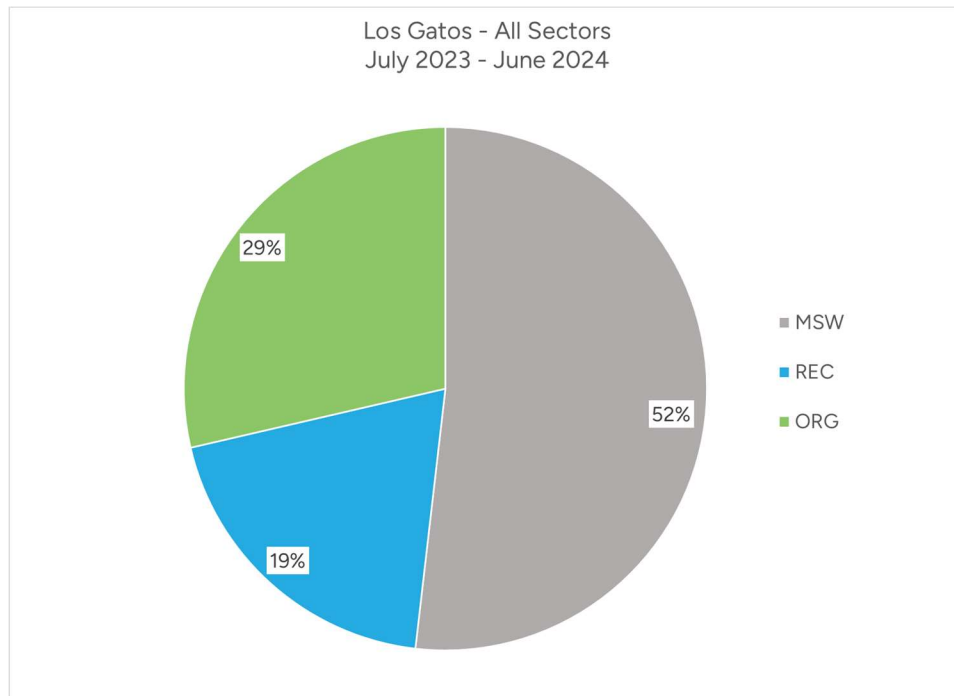




Figure 3. City of Monte Sereno Tonnage

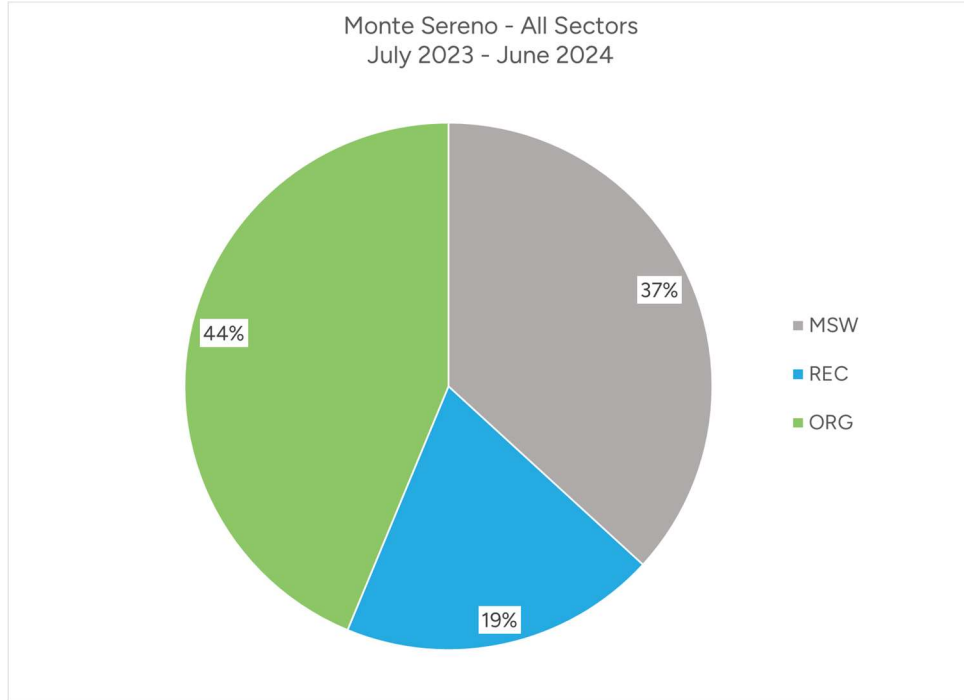
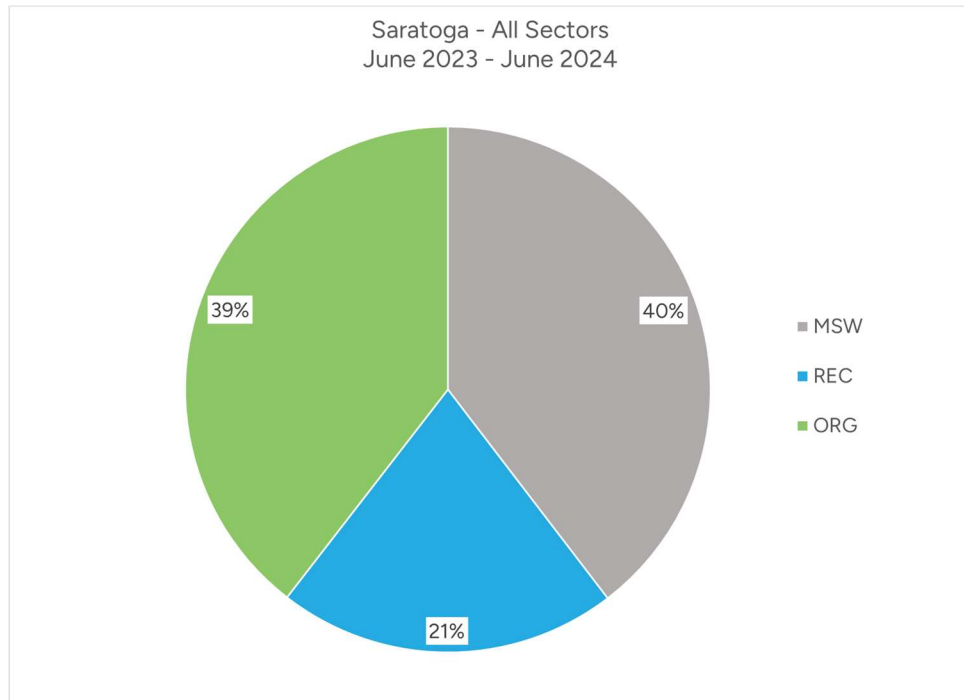


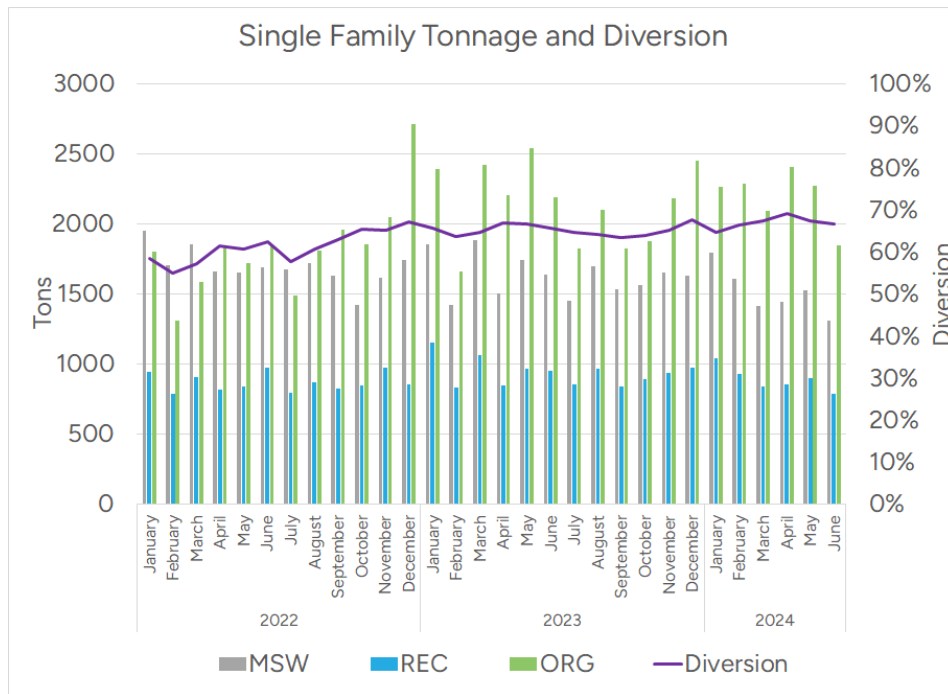
Figure 4. City of Saratoga Tonnage





Figures 5 through 13 represent WVC&R's reported tonnage and diversion rate for single family (Figure 5), multi-family (Figure 8), and commercial (Figure 11) customers. Figures 6, 7, 9, 10, 12, and 13 compare the total volume of recycling or organic service levels to the average density (pounds per cubic yard) of customers carts and/or bins. These measures are used by the Authority to monitor recycling participation levels within the Member Agencies.

Figure 5. Single Family Tonnage and Diversion



Remainder of page intentionally left blank



Figure 6. Single Family Recycling

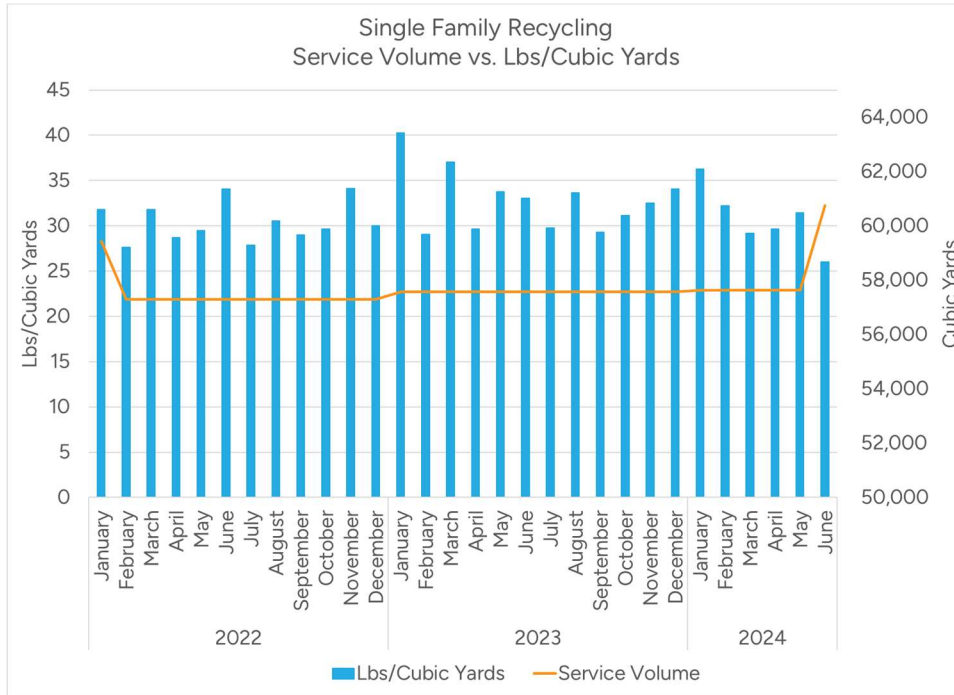


Figure 7. Single Family Organics

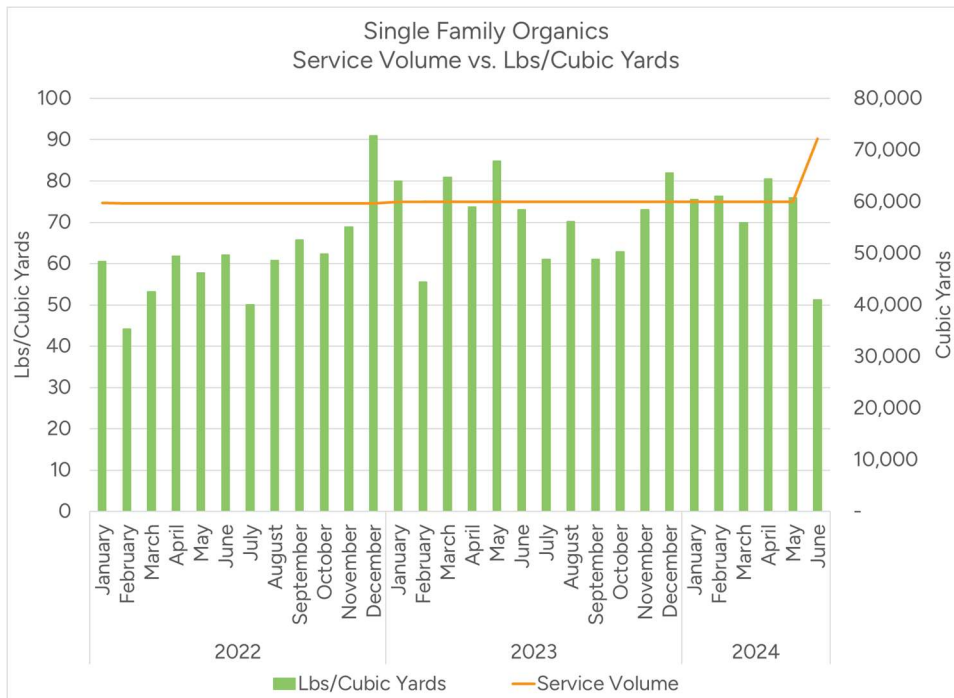




Figure 8. Multi-Family Tonnage and Diversion

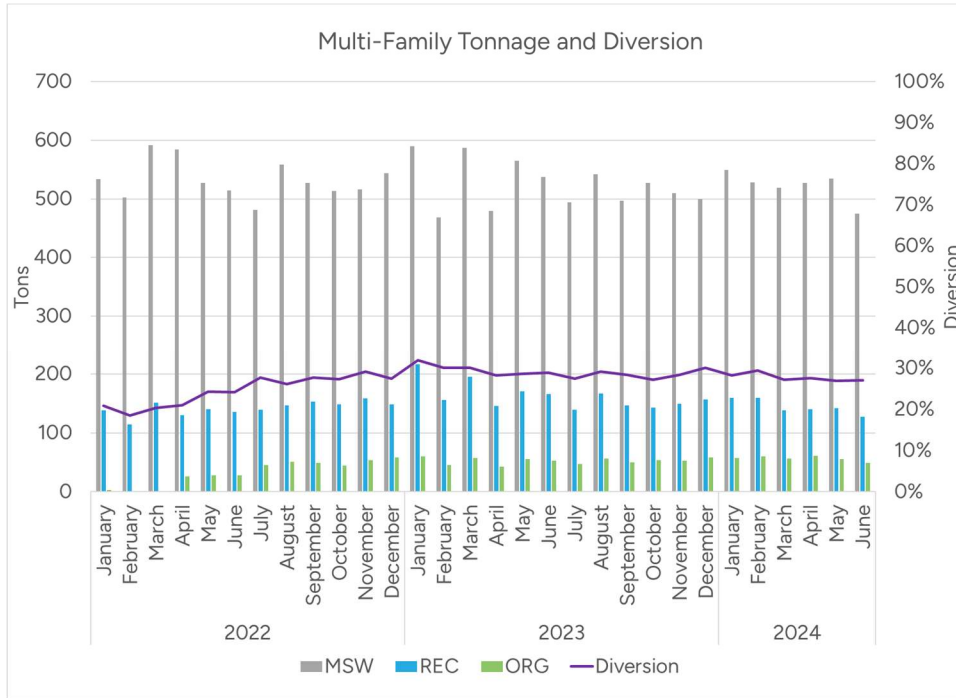


Figure 9. Multi-Family Recycling

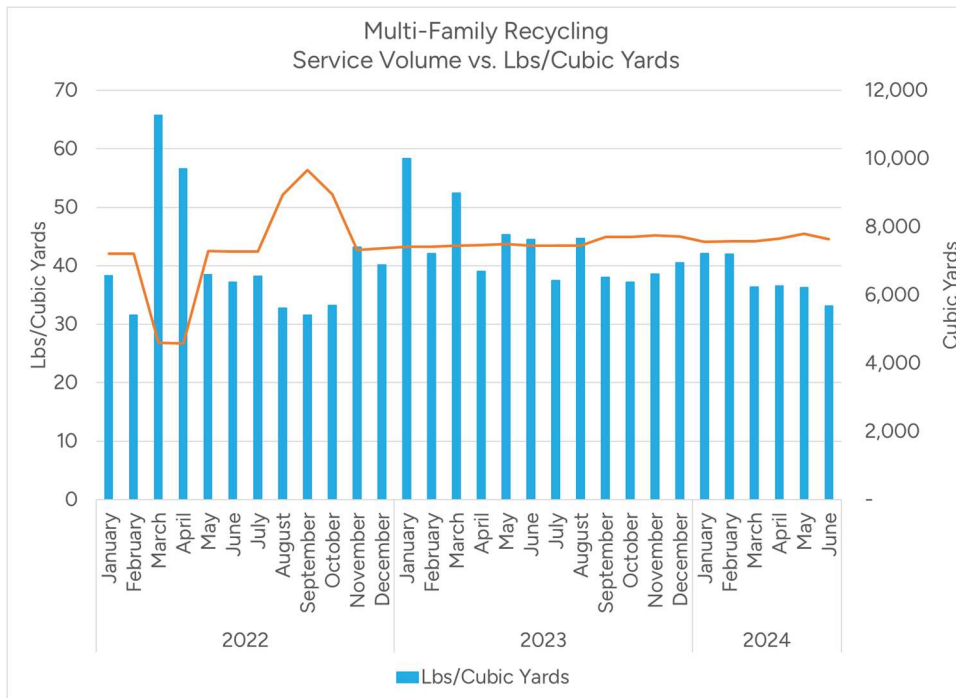




Figure 10. Multi-Family Organics

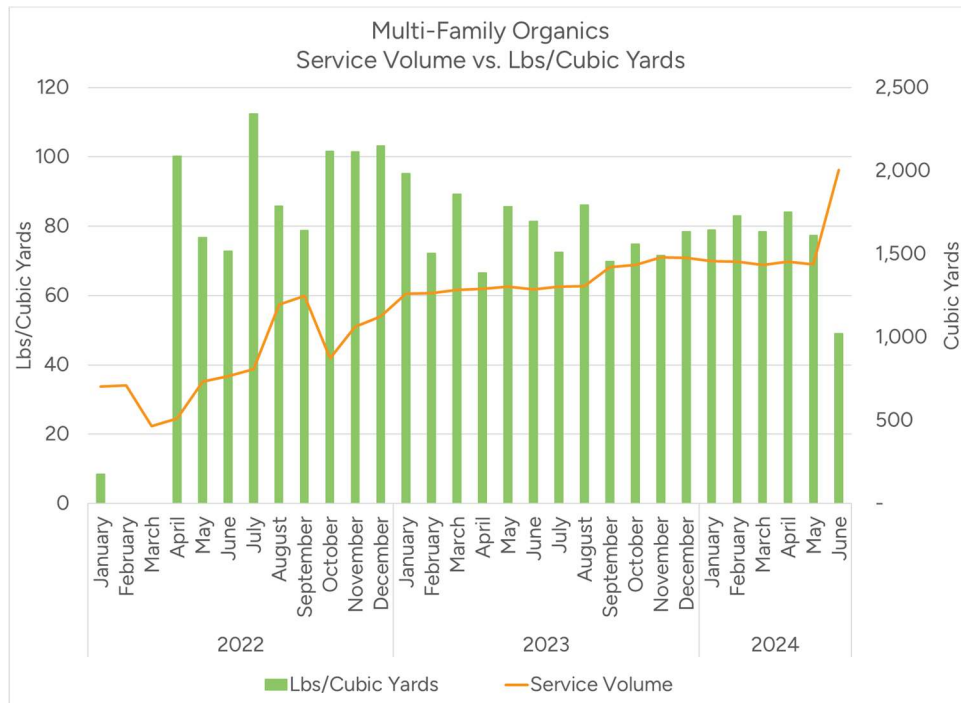


Figure 11. Commercial Tonnage and Diversion

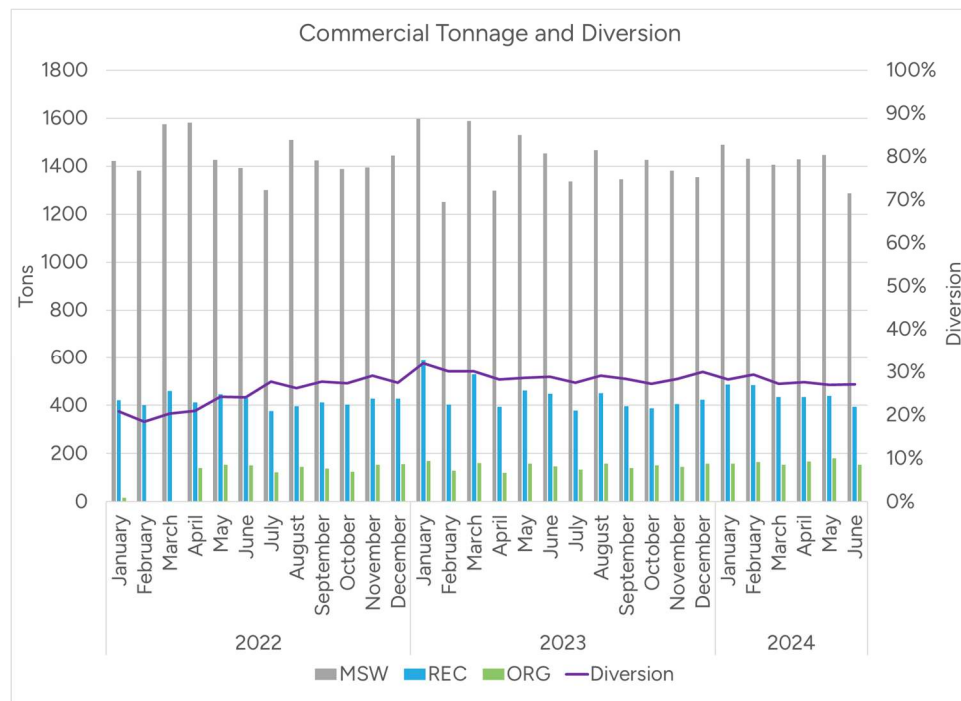




Figure 12. Commercial Recycling

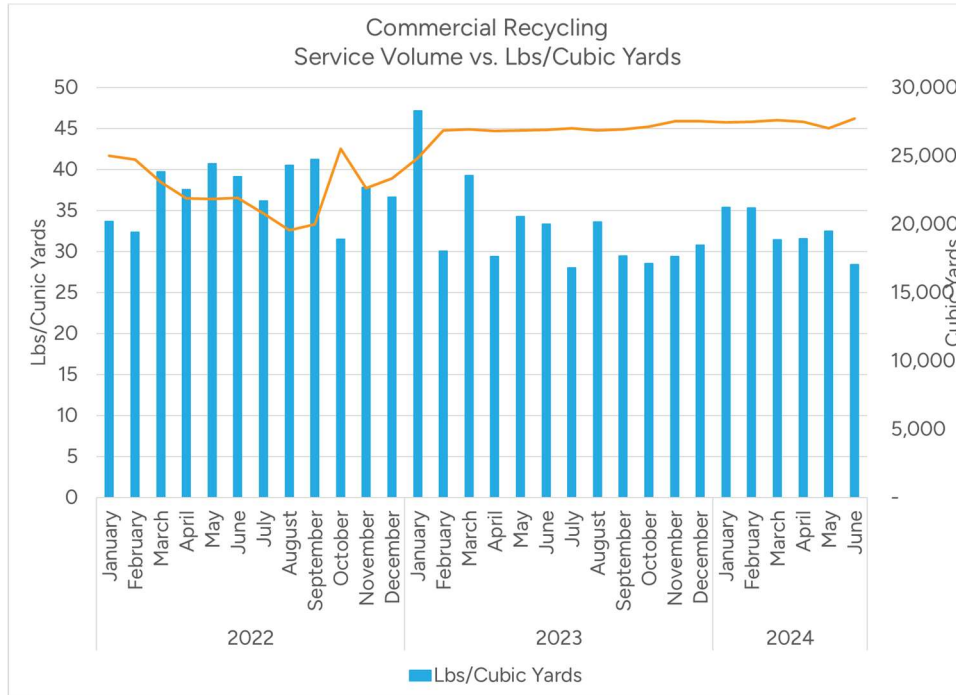
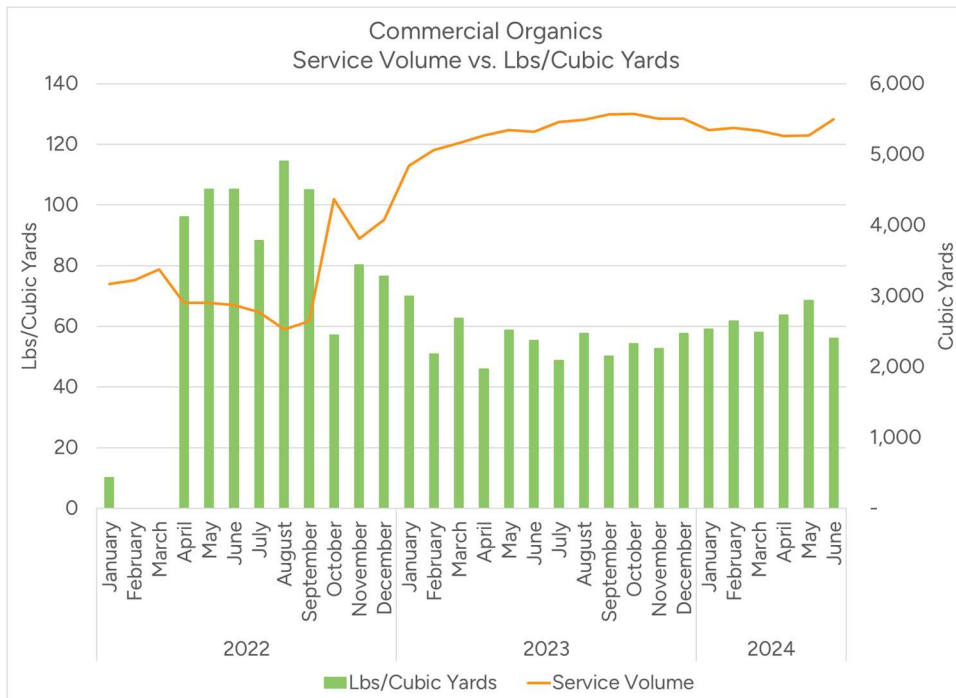


Figure 13. Commercial Organics

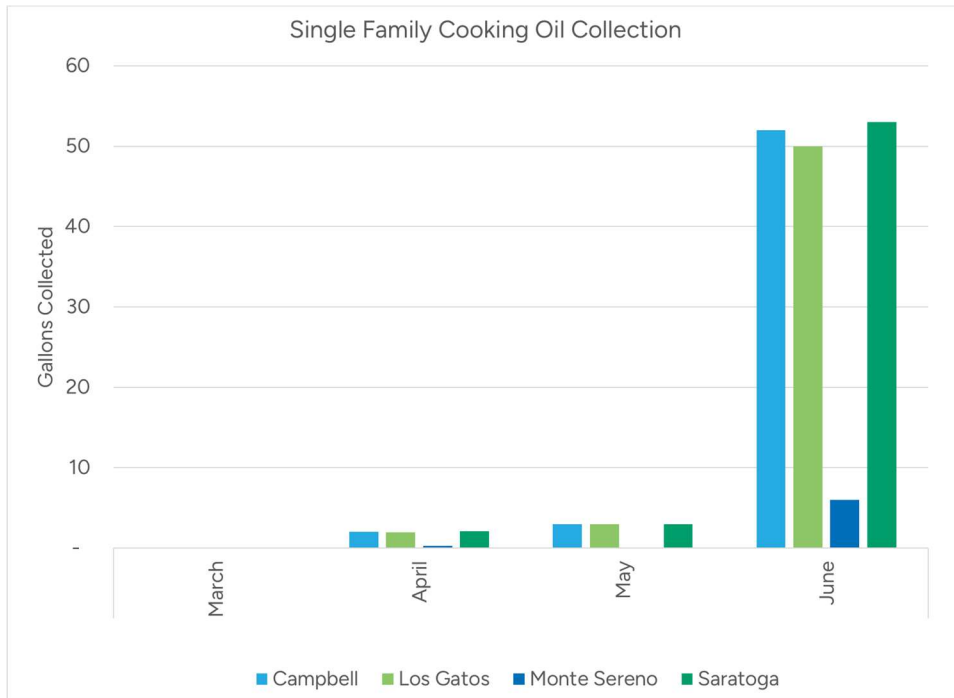




Used Motor Oil Collection

WVC&R transitioned from providing used motor oil collection to providing cooking oil collection as part of the new Collection Agreement with WVC&R, which commenced March 1, 2024. Figure 14 shows the gallons of cooking oil collected by WVC&R.

Figure 14. Single Family Cooking Oil Collection



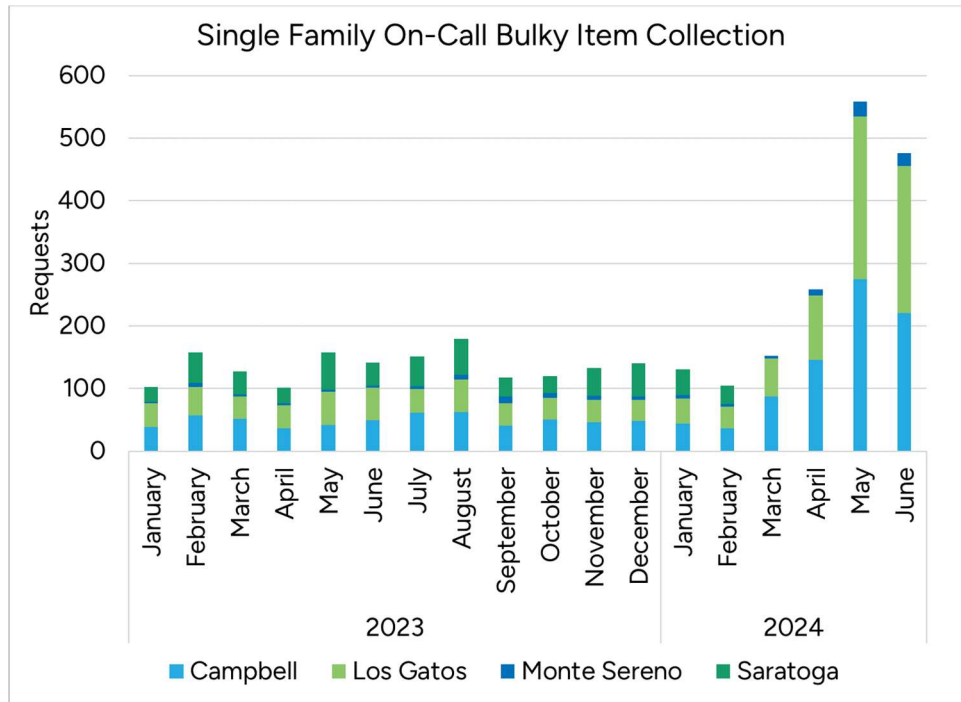
Remainder of page intentionally left blank



Bulky Item Collection

Figures 15 and 16 show demand within the Authority for single-family on-call bulky-item collection, in addition to the single-family scheduled bulky item collection provided by WVC&R throughout the year. Due to changes to the program, bulky item collections have increased since the implementation of the new Collection Agreement in March of 2024.

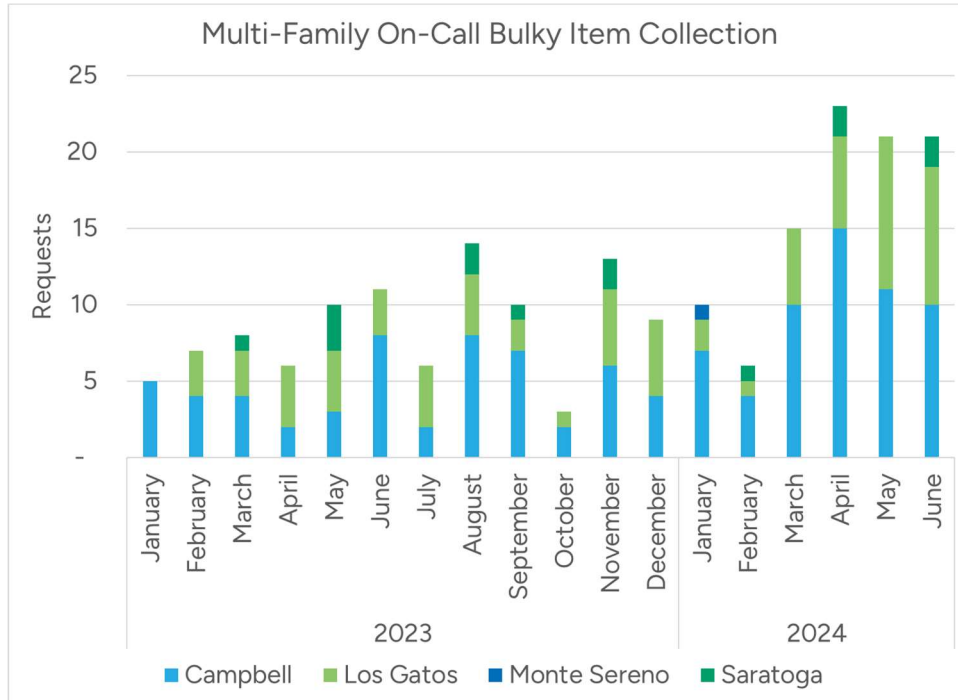
Figure 15. Single Family On-Call Bulky Item Collection



Remainder of page intentionally left blank



Figure 16. Multi-Family On-Call Bulky Item Collection



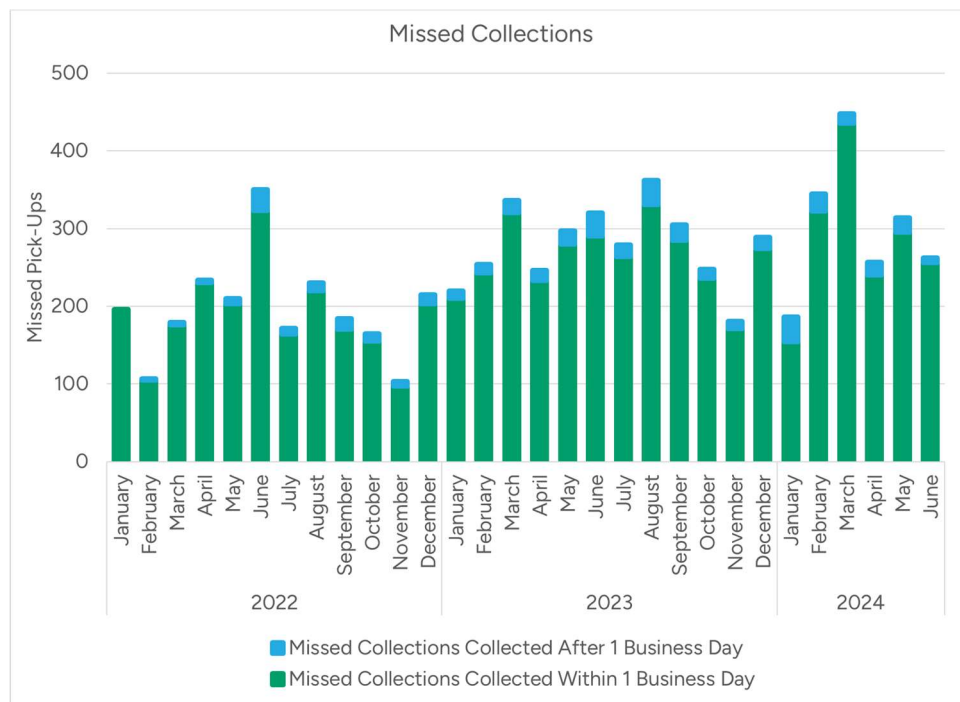
Remainder of page intentionally left blank



Missed Collections

Figure 17 shows the number of missed collections. The Authority has closely monitored WVC&R's missed collections during the term of the collection agreement and the Authority meets monthly with WVC&R to discuss the high number of missed collections as well as potential causes and solutions. WVC&R stated they would review operations to determine the cause of this increase in missed collections.

Figure 17. Missed Collections



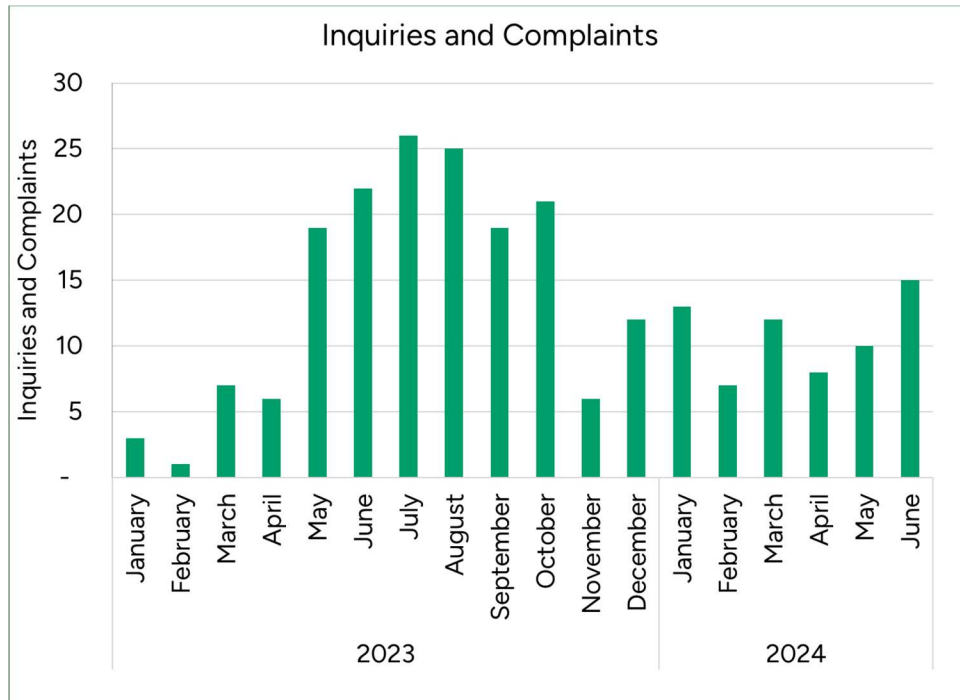
Remainder of page intentionally left blank



Customer Service

Figures 18 and 19 represent the number of collection service inquiries and complaints received by WVC&R from within the Authority service area. These tables are inclusive of any requests or complaints sent directly to each Member Agency and the Authority.

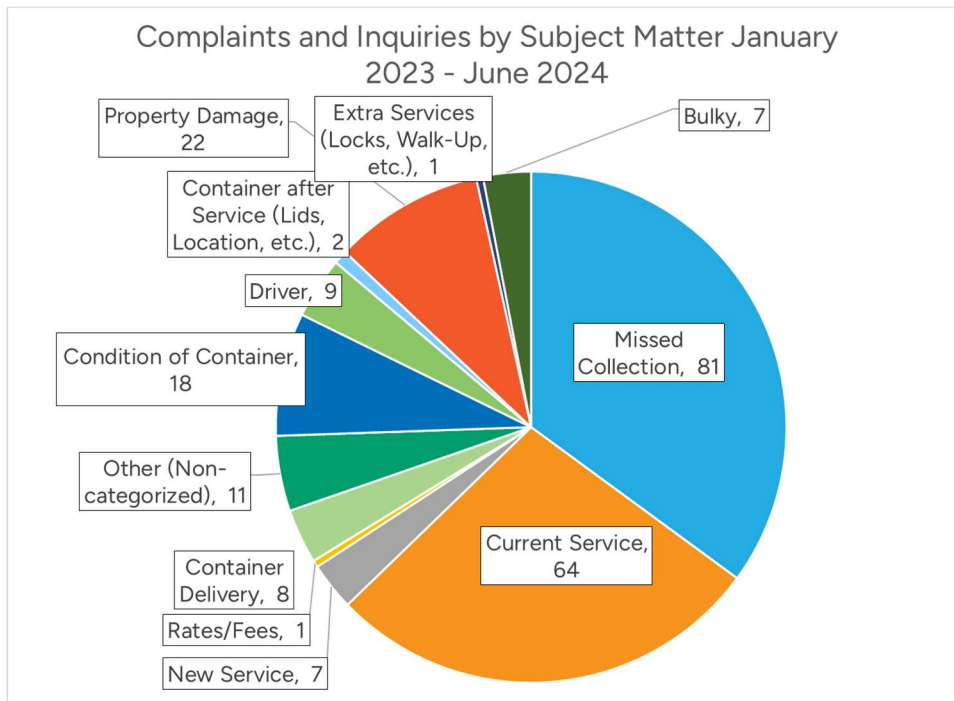
Figure 18. Inquiries and Complaints by Month



Remainder of page intentionally left blank



Figure 19. Inquiries and Complaints by Subject Matter

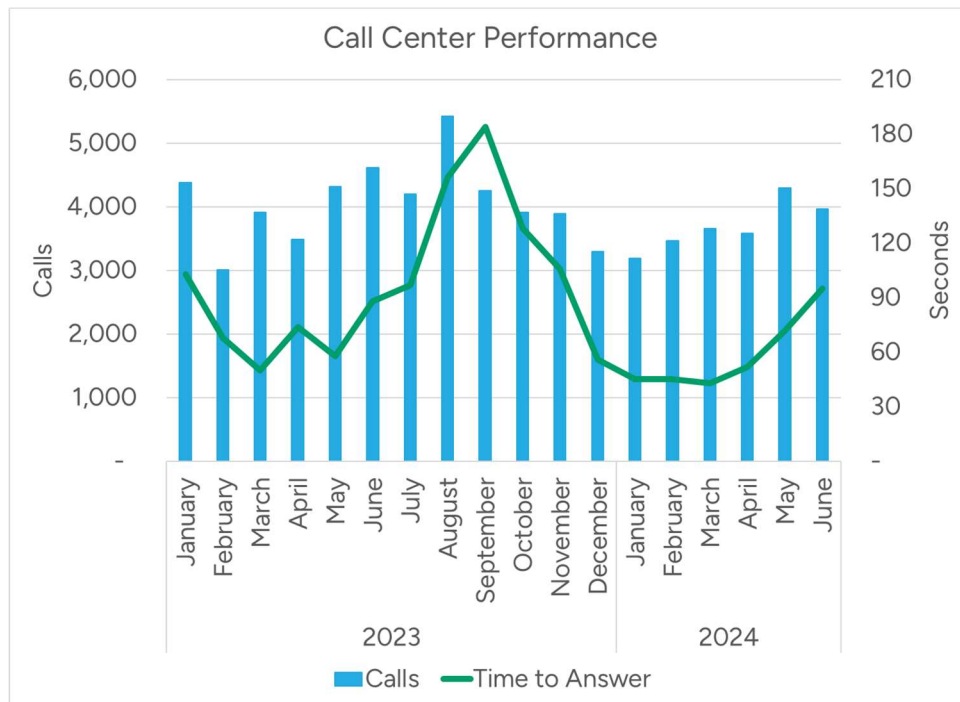


Remainder of page intentionally left blank



Figure 20 represents the average amount of time Authority customers wait on hold when calling WVC&R's customer service center. These hold times reflect the average total time a customer waits on hold, including the time it takes the customer service representative (CSR) to answer the call, any additional customer hold time, and time spent by the customer listening to WVC&R's outgoing message.

Figure 20. Call Center Performance

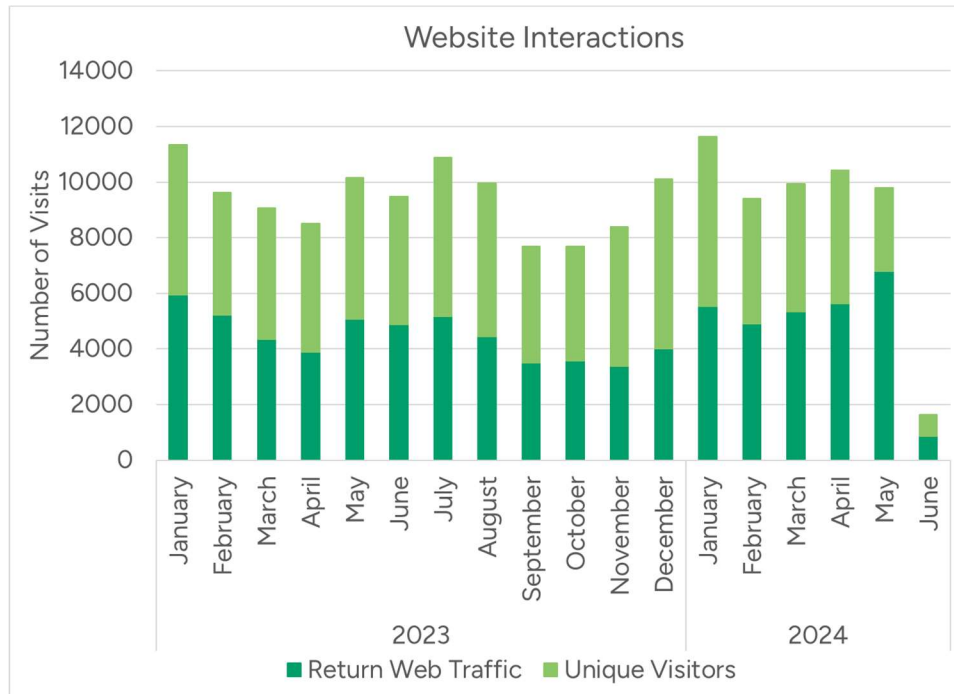


Remainder of page intentionally left blank



Figure 21 represents the number of new and repeat visits to WVC&R’s webpage, which provides information about collection services in the Authority. Due to implementation of the new website, which occurred in June of 2024, June website data is incomplete; however, full reporting of website data resumed in July of 2024.

Figure 21. Website Interactions



Remainder of page intentionally left blank



As part of the new Collection Agreement with WVC&R, which commenced on March 1, 2024, WVC&R provides rebates to customers who experience missed pickups or late container swaps to reimburse these residents and businesses for delayed service. Figure 22 shows the rebate count and associated dollar amount WVC&R has provided to these customers. As shown in Figure 23, from the start of the rebate program through June 2024, WVC&R has offered \$107,746 in rebates to customers.

Figure 22. Customer Rebates

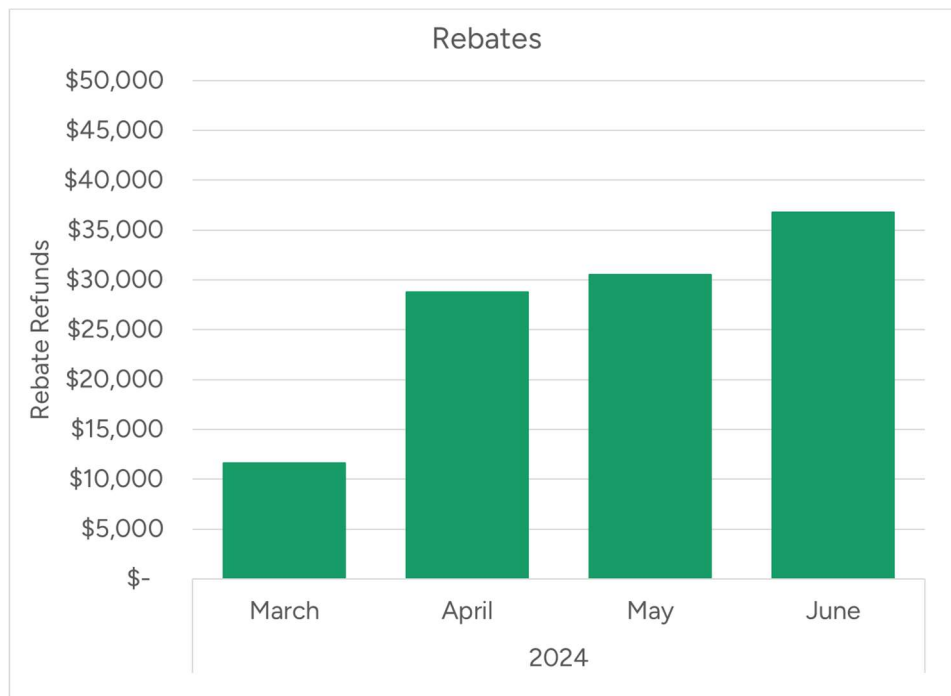


Figure 23. Customer Rebate History

Rebates Offered		
2024	March	\$11,636
	April	\$28,763
	May	\$30,520
	June	\$36,827
Total		\$107,746

Documents Attached

None



Fiscal Impact

None



PRIOR MEETING MINUTES

Date of Meeting: May 22, 2024

General Information

Meeting held via teleconference, in accordance with California Governor Executive Order N-29-20, and in-person at the City of Monte Sereno's City Hall located at 18041 Saratoga-Los Gatos Road, Monte Sereno, CA 95030.

Call to Order

At 5:10 p.m., Chair Mekechuk called the meeting to order.

Pledge of Allegiance

Roll Call

Chair Bryan Mekechuk, representing Monte Sereno, Vice Chair Chuck Page representing Saratoga, and Member Mary Badame, representing Los Gatos, were present. Member Dan Furtado, representing Campbell, was absent. Also present were Executive Director Rob Hilton, Deputy Director Hailey Gordon, and Authority Counsel Kirsten Powell.

Orders of the Day

None

Oral Communications from the Public

None

Written Communications

None

Presentations and Informational Items

1. The Board received a presentation on the implementation of the Agreement between the West Valley Solid Waste Management Authority (Authority) and Waste Connections of California Inc., d/b/a West Valley Collection & Recycling (WVC&R) for Organic Materials, Recyclable Materials, and Solid Waste Collection Services and Organic Materials and Recyclable Materials Processing (Collection Agreement).



Consent Calendar

2. Upon a motion by Vice Chair Page and a second by Member Badame, the Board voted unanimously to approve consent items two through eight.

Old Business

None

New Business

3. Upon a motion by Vice Chair Page, and a second by Member Badame, the Board voted unanimously to approve Resolution 2024-04 authorizing the Board Chair to enter into an amended and restated Collection Agreement with WVC&R.
4. Upon a motion by Member Badame, and a second by Vice Chair Page, the Board voted unanimously to approve Resolution 2024-05 adopting the FY 2024-25 budget.

Public Hearings

5. Upon a motion by Member Badame and a second by Vice Chair Page, the Board voted unanimously to approve Resolution 2024-06 ratifying the WM contractual disposal proprietary rate adjustment, effective July 1, 2024.
6. Upon a motion by Vice Chair Page and a second by Member Badame, the Board voted unanimously to approve Resolution 2024-07 ratifying the WVC&R collection services rate adjustment effective July 1, 2024 and to approve the Administrative Reimbursements, prescribed by the Collection Agreement, effective July 1, 2024.

Executive Director Report

Executive Director Rob Hilton expressed thanks to Member Agency staff and WVC&R staff.

Future Agenda Items

None

Board Member Reports

None

Adjournment

Chair Mekechuk adjourned the meeting at 6:17 p.m. until the next regular meeting, which will be held September 5, 2024.

This page intentionally left blank



Agenda Item No. 7

Meeting Date: September 5, 2024

To: West Valley Solid Waste Management Authority Board
From: Executive Director
Subject: Year-To-Date Financial Report

AGENDA ITEM REPORT

Recommended Action

Receive the Executive Director Year-to-Date Financial Report for the fiscal year (FY) ended June 30, 2024.

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 30, 2024 for FY 2023-24. With 100% of the FY passed, the report shows that the West Valley Solid Waste Management Authority (Authority) received \$1,525,169 or 95% of revenues and expended \$1,280,561, or 77% of expenses, as compared to the approved revised FY 2023-24 budget.

The Authority's Accounting and Bookkeeping costs were greater than budgeted because expenses for the prior year's booking services were not billed in the prior budgeted FY. The FY 2023-24 expenses are expenditures for FY 2022-23 and FY 2023-24 bookkeeping services. The Authority's liability insurance through the Special District Risk Management Authority (SDRMA) is greater than budgeted due to market conditions over the past five years, specifically market disruptions caused by natural disasters across the world, which caused the SDRMA to increase rates. Additionally, the Authority received revenues above the budgeted revenue amount from West Valley Collection and Recycling (WVC&R) due to liquidated damages that were assessed related to WVC&R's performance.

In February 2011, the Board adopted a policy requiring the Authority to maintain an operating reserve of \$100,000 and a rate stabilization reserve of \$100,000. The preliminary fund balance of \$663,659 is more than the \$200,000 required and increases the July 1, 2023 starting balance of \$419,051 by \$244,608.

Documents Attached

Statement of Revenues, Expenditures, and Changes in Fund Balance – Budget and Actual



Fiscal Impact

None



WEST VALLEY

Solid Waste Management Authority

CAMPBELL • LOS GATOS • MONTE SERENO • SARATOGA

ATTACHMENT TO AGENDA ITEM NO. 7

Fiscal Year 2023-24 Year to Date Budget

West Valley Solid Waste Management Authority Statement of Revenues, Expenditures, and Changes in Fund Balance - Budget and Actual June 30, 2024					
Account #	Description	Authority Budget FY 2023-24	Year to Date Actual	Balance	YTD %
Revenues					
4410	Interest	\$ -	\$ 9,743	\$ (9,743)	N/A
4431	Unrealized Gains/Losses	-	8,656	(8,656)	N/A
4523	SB 1383 Local Assistance Grant	-	-	-	N/A
4968	Expense Abatement	-	-	-	N/A
4970	City of Campbell	345,018	345,018	-	100%
4970	Town of Los Gatos	266,313	266,313	-	100%
4970	City of Monte Sereno	28,096	28,096	-	100%
4970	City of Saratoga	247,022	247,022	-	100%
4975	Franchise Agreement WVC&R	300,000	300,000	-	100%
4975	Other Revenue (Reimbursement of Education & Outreach)	335,000	78,171	256,829	23%
4965	Other Revenue (Non-Exclusive C&D Program)	60,201	19,050	41,151	32%
4965	Other Revenue (Liquidated Damages)	27,861	223,100	(195,239)	801%
	Total Revenues	\$ 1,609,511	\$ 1,525,169	\$ 84,342	95%
Expenditures:					
Services and Supplies:					
7424	Office Expense	\$ -	\$ -	\$ -	N/A
7424	SB 1383 Member Agency Organics Procurement	127,397	37,691	89,706	30%
7427	Special Departmental Exp. (Legal Services)	36,622	20,967	15,655	57%
7427	Special Departmental Exp. (Legal Services - Collection Agreement)	8,583	-	8,583	0%
7427	Special Departmental Exp. (Legal Services - Franchise Fee Study)	11,444	-	11,444	0%
7428	Special Departmental Exp. (Legal Services - Non-Exclusive C&D Program)	5,722	-	5,722	0%
7430	Prof. & Special Services (Executive Director)	723,705	713,337	10,368	99%
7430	Prof. & Special Services (Other)	5,000	-	5,000	0%
7430	Grant Administration	10,500	16,041	(5,541)	153%
7430	Education and Outreach	335,000	101,854	233,146	30%
7432	Other Contractual Services (Website Administration)	1,274	-	1,274	0%
7432	Other Contractual Services (Audit Services)	3,500	3,184	316	91%
7433	Insurance (Liability)	2,957	6,010	(3,053)	203%
7435	Travel/Conf. & Meetings	2,000	4,826	(2,826)	241%
7438	Other Charges (Accounting & Bookkeeping)	10,139	19,983	(9,844)	197%
7438	Record Keeping and Reporting - Recyclist	50,845	26,640	24,205	52%
7443	SB 1383 Edible Food Recovery Countywide Program	30,029	30,028	1	100%
7675	Authority Solid Waste Distribution	300,000	300,000	-	100%
	Total Expenditures	\$ 1,664,717	\$ 1,280,561	\$ 384,156	77%
	Excess (deficiency) of revenues over (under) expenditures	\$ (55,206)	\$ 244,608	\$ (299,814)	
	Beginning Fund Balance 7/1/23 (Preliminary)	183,068	419,051		
	Ending Fund Balance	\$ 127,862	\$ 663,659		

This page intentionally left blank



Agenda Item No. 8

Meeting Date: September 5, 2024

To: West Valley Solid Waste Management Authority Board
From: Executive Director
Subject: Multi-Family Behavior Change Pilot

AGENDA ITEM REPORT

Recommended Action

Authorize the Executive Director to negotiate and execute an agreement between the Authority and Mill Industries, Inc. (Mill) to conduct the Pilot.

Discussion

At the May 22, 2024 Board Meeting, the Board approved the fiscal year (FY) 2024-25 budget, which included budgeted expenses for the West Valley Solid Waste Management Authority (Authority) to produce a request for proposals (RFP) process to procure services from a third-party to conduct the Pilot, focused on the diversion of multi-family organic materials, as required under SB 1383. The Pilot, and associated RFP process, will be fully funded by grant revenues from the CalRecycle Local Assistance Grant.

On July 23, 2024, the Authority posted the RFP, which required proposer responses be received by August 23, 2024. The Authority staff advertised the RFP to technology vendors and consulting firms that we were aware may be interested. The Authority received one proposal from Mill. Mill's Community Based Social Marketing (CBSM) proposal relies on their in-home food dehydrator technology to increase participation and reduce contamination in the Authority's food waste recycling program while providing measurable results to the Authority. The Authority has reviewed the proposal, determined it meets the scope requirements and budget as described in the RFP. At the time of the Board Meeting, staff has conducted due diligence on the company to determine their qualifications and technical viability. Staff recommends that the Board authorize the Executive Director to negotiate a final contract and scope of work for the multi-family pilot program not to exceed the \$50,000 budget approved by the Board and funded by the CalRecycle Local Assistance Grant. Such agreement shall be reviewed and approved as to form by the Authority's legal counsel.

Documents Attached

None



Fiscal Impact

The cost of Mill's services is included in the Authority's FY 2024-25 approved budget and is funded by the CalRecycle Local Assistance Grant.



CALENDAR OF FUTURE AGENDA ITEMS

November 7, 2024 Meeting

- Receive a presentation from Ridwell and discuss potential permitting and scoping provisions.
- Review construction and demolition debris program status and discuss potential program revisions.
- Consider a contract for Senate Bill (SB) 1383 organic waste product procurement brokering services.

February 6, 2025

- Elect new officers.
- Receive a West Valley Solid Waste Management Authority (Authority) budget and rates workshop presentation.

May 1, 2025

- Approve Authority budget.
- Ratify WM disposal and processing contractual rate adjustment.
- Ratify West Valley Collection and Recycling (WVC&R) collection rates for Rate Period 2 of the Agreement between the Authority and Waste Connections of California Inc., d/b/a West Valley Collection & Recycling (WVC&R) for Organic Materials, Recyclable Materials, and Solid Waste Collection Services and Organic Materials and Recyclable Materials Processing (Collection Agreement).
- Accept audited financial statements.
- Approve Board Meeting schedule.

September 4, 2025 Meeting

- Receive and file CalRecycle Electronic Annual Reports.