

## MEETING MINUTES CITY OF MILPITAS

**Minutes of:** Special Meeting of the Milpitas City Council  
**Date:** Monday, May 23, 2016  
**Time:** 6:00 PM  
**Location:** Milpitas City Hall, 2<sup>nd</sup> Floor Council Chambers  
455 East Calaveras Blvd., Milpitas

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### ROLL CALL

Mayor Esteves called the meeting to order at 6:00 PM.

**PRESENT:** Mayor Esteves, Vice Mayor Montano, Councilmembers Giordano and Grilli

**ABSENT:** Councilmember Barbadillo

### APPROVE AGENDA

On a motion by Councilmember Grilli, seconded by Councilmember Giordano, the meeting agenda was approved by unanimous vote.

### PUBLIC FORUM

The following residents spoke:

1. Voltaire Montemayor was in favor of Milpitas having its own performing arts center.
2. George Liu shared his approval and gratitude that the City had separated the solid waste bidding process into collection and disposal.
3. Michael Thai expressed his support and thanks on the City's efforts regarding tonight's study session and the current solid waste disposal bidding process.

### WORK SESSION

City Manager Tom Williams introduced City Engineer Steven Machida, who then said that today's study session would only deal with solid waste collection services. The presentations tonight, which would be given by the request for proposal (RFP) respondents, would give everyone an opportunity to learn more about each respondent's approach and methodology on solid waste collection services and the non-cost differentials that make each respondent unique from the others.

City Engineer Machida added that the study session was for Council's information-gathering purposes only, and thus city staff at this time did not seek for any motion or decision from City Council regarding the matter before them.

City Engineer Machida stated that there are six respondents to the solid waste collection services RFP, namely:

1. Waste Management
2. Republic Services
3. Green Waste Recovery
4. GreenTeam of San Jose
5. Garden City Sanitation
6. California Waste Solutions

City Engineer Machida introduced Mr. Peter Deibler from HF&H Consultants, LLC, who then summarized the RFP process and goals as well as the agenda and format for tonight's work study session.

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Councilmember Giordano asked whether six respondents to the RFP was a good amount of responses, and what was the average amount of responses for RFPs similar to the one recently issued by the City. Mr. Deibler replied that six bidders was a very good turnout, and that the norm or expected turnout for such an RFP would be three to four bidders.

Councilmember Giordano then inquired as to who would be defining “best services” in this process. Mr. Deibler responded that City Council would receive recommendations from the City’s evaluation team based on the submitted RFPs, weighing several factors into consideration which would include but not be limited to services provided by vendor, qualifications, technical approach, environmental considerations, processes, and cost. The determination would ultimately lie with the City Council.

Mr. Deibler then briefed City Council regarding the City’s community outreach efforts during the RFP processes for collection and disposal of solid waste, state policy issues driving solid waste service specifications, base and alternative services, and other issues and/or services that the City wished to address and explore via the RFP process.

Councilmember Giordano asked the rationale on why the billings services were now being shifted from the City to the vendor, and whether this would be more costly than the current arrangement. Mr. Deibler replied that trash services were not property-based, and so the City did not wish to imply that it was a property-based fee via its direct involvement in the billing process. In agreement with Mr. Deibler’s comment, City Attorney Chris Diaz added that the franchise services agreement would delegate the billing services authority to the new contractor, leaving the City with the responsibility of awarding the franchise agreement to the new vendor and removing itself from the solid waste billing processes.

Mr. Deibler continued with his presentation regarding base and alternative solid waste collection services available to single-family, multi-family, and commercial customers and pointed out that there are state-imposed requirements for yard trimmings that the City and its residents need to meet via Assembly Bill (AB) 1826.

Vice Mayor Montano asked as to how the Home Owners’ Associations (HOAs) who facilitate their own yard and landscape trimmings disposal coordinate with the solid waste collection service provider. Mr. Deibler clarified that the service provider and the individual property managers would need to coordinate with each other to ensure that needs were met and that all activities would be in compliance with AB 1826.

Mr. Deibler then gave the floor to each of the six responders to the City’s RFP. Mayor Esteves reminded the presenters that each presentation would be limited to 15 minutes. He also encouraged everyone at City Council to defer questions until after each presentation.

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The presentations then began:

**Waste Management**

Mr. Alex Oseguerra, Area General Manager / Vice President of Waste Management, led the presentation on behalf of his company. Joe Carlagio from Waste Management, Richard Valle from Tri-CED Recycling, and Joe Vella from Universal Site Services spoke regarding the firm's technical approach in solid waste collection services.

Vice Mayor Montano inquired as to where those cameras were mounted. Mr. Oseguerra replied that the camcorders are in their collection trucks. These cameras are used as a learning and safety tool for the company and its drivers to refer back to for service improvement or as a training tool.

Vice Mayor Montano then asked as to where the collected materials for green recycling or composting, would be taken. Mr. Oseguerra clarified that the company has a number of vendors who receive composting, and that these facilities or hubs are not located in Milpitas.

Mayor Esteves advised the presenters that during the question portion of each presentation, the Council could ask any presenter to ask question or to clarify matters for better understanding.

Mayor Esteves then asked Mr. Deibler as to what method was used to determine the order on who would present first for tonight's study session. Mr. Deibler replied that during the last study session for the solid waste disposal services RPF, the presenters' company names were alphabetized from A to Z—with A presenting first and Z presenting last. For this study session, Mr. Deibler stated that city staff and the HF&H wished to follow a similar methodology but did so in the reverse order—with Z presenting first and A presenting last.

Mr. Deibler then gave the podium to the next presenter, Republic Services.

**Republic Services**

Mr. Evan Boyd, General Manager for Republic Services, did the entire presentation on behalf of his company. He pointed out that for 30 years, the company served the City's solid waste collection and disposal services and that this placed the company in the unique position in being highly familiar with the City's logistics, demographics, and needs.

Vice Mayor Montano wanted Mr. Boyd to clarify acronyms and/or terms such as MFD and mixed waste. Mr. Boyd replied that MFD stood for Multi-Family Dwelling and mixed waste processing involved "single-stream" recyclables go on one container and the rest in another. Mr. Boyd explained that the sorting process takes place in Newby Island.

Mayor Esteves then asked Mr. Boyd if his firm services other companies in the Bay Area or Northern California. Mr. Boyd said yes, enumerating current municipality clientele such as Fremont, Union City, San Jose, Daly

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City, Richmond, Antioch, Half Moon Bay, Pleasant Hill, and many small communities in the 880 Freeway / 101 Freeway Corridor.

Mayor Esteves then asked as to what dump site the company used for Daly City's trash and recyclables, and how many miles were there between the city boundaries and the landfill. Mr. Boyd replied that Daly City's trash and recyclables were hauled and processed in a landfill center in Half Moon Bay called Ox Mountain, which was 19 miles away from each other. Mayor Esteves inquired as to whether the company believed that it was acceptable to use a landfill site that was only 19 miles from city boundaries. Mr. Boyd responded that Ox Mountain was currently the only active one for San Mateo County, and that having Daly City trash to go here was the only option that the company had. Mayor Esteves asked as to how many miles would be the longest distance from the client municipality to the landfill. Mr. Boyd replied that this would be 19 miles—from Daly City to Ox Mountain. Mayor Esteves once again asked as to whether 19 miles was a very acceptable distance wherein there would be no traffic or environmental problems. Mr. Boyd stated that he could not answer the question since he would not be knowledgeable of the California Environmental Quality Act (CEQA) requirements.

Councilmember Grilli wanted more clarification regarding Republic Services' mixed waste collection processes, stating that it would be different from current practice. Mr. Boyd said that mixed waste collection would now be processed through the Newby Island Recyclery instead of merely going to the landfill.

Mr. Boyd, to reply to Vice Mayor Montano's request for clarification, explained about the process of mixed waste collection. He added that the trash would now be processed and separated as well as the recycling.

**GreenWaste Recovery, Inc.**

Ms. Emily Finn, Director of Business Development & Communications, spoke on behalf of her company.

Mayor Esteves asked questions regarding the collection of bulky items. Ms. Finn replied that the company would offer each resident four opportunities a year to have furniture or bulky items collected. This would be far different from a vendor setting up a day to do bulky item collection for the entire city.

Vice Mayor Montano asked about the Gilroy facility and the trucks that the company would be using for collection. Ms. Finn stated that the company makes a conscientious effort to match the municipality client's needs with the type of vehicles that they use for collection.

Councilmember Grilli wanted clarification regarding the location of their facilities, particularly how close would they be in Milpitas residential areas. The green waste processing location where recycling and trash would go is 6.9 miles south from city center. The composting facility is 35 miles south

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in Gilroy. Another facility is less than 6 miles from the city where anaerobic materials processing would take place.

**Green Team of San Jose**

Mr. Paul Nelson, Division Vice President, led the presentation on behalf of the firm. Christine Dunlo spoke regarding the firm's community outreach efforts.

Mr. Nelson replied "yes" to Vice Mayor Montano's question on whether the company's collection trucks were eco-friendly.

In reply to Mayor Esteves' inquiry, Mr. Nelson said that the company currently serves approximately 85,000 customers in San Jose and the neighboring communities.

**Garden City Sanitation, Inc.**

Mr. Louie Pellegrini, Jr., President, did the presentation for his firm.

Replying to Councilmember Grilli's inquiry, Mr. Pellegrini replied that the locations for their waste processing would be in Sunnyvale, Gilroy, and Santa Clara.

Vice Mayor Montano asked clarification regarding the difference between "Garbage Day" and "Dump Day." Mr. Pellegrini replied by stating that residents could go to the Sunnyvale "Smart Station" to deliver bulky items for dumping.

**California Waste Solutions**

Mayor Esteves called out for a spokesperson. They chose not to do a presentation tonight, but they were present for tonight's session. Mayor Esteves once again invited those present on behalf of the company to speak on the firm's behalf.

Since no one chose to speak, Mayor Esteves moved to the next issue.

**PUBLIC FORUM**

Mayor Esteves requested Mr. Diebler and city staff to provide a one-year timeline and a matrix for a quick comparison of the six companies to facilitate this entire process. City Manager Tom Williams and Mr. Diebler reassured Mayor Esteves that the city was on-track in terms of the timeline, and stated that staff would provide a documented one-year timeline as well as the comparison matrix.

Mayor Esteves opened the floor for members of the public to speak. Each speaker was given three minutes to present.

- George Liu spoke again. He provided one printout for the elected officials. He spoke about the violations committed at Newby Island. (printout given to Mayor and passed on to Councilmembers for quick review).

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- Amy Chan, Milpitas resident, spoke. She said that she was glad to hear that the City has a variety of choices. She expressed her concern about the City's current odor problem. She would like for the City's business to go to a company that would ensure that they would not contribute to odor problem. She is upset that there was a lot of misleading information given to petition signers for the referendum.
- A woman resident spoke regarding Newby Island and the City's current odor problem. She mentioned about the diversion rate. She would like the City's business to go to a company that has a good diversion rate.
- A man spoke regarding his move to the City. He noted that everything would be well except for the odor problem. He figured that the current odor problem could contribute towards home prices in Milpitas not rising as high as neighboring cities.
- Voltaire Montemayor spoke about Newby Island and the odor problem. He also wished the company who would get the city's business good luck.
- Michael Thai spoke again. He spoke about the odor problem and the cost of the service. He pointed out that the cost that he wished to talk about was the cost against the residents' quality of life. The city would have been wonderful, but the city has garnered a bad reputation due to the odor problem that it glosses over all the good things that the city has to offer. He figured that maybe there should be time for a change.

Mayor Esteves closed public comment once he noted that all those who wished to speak tonight have already spoken. Vice Mayor Montano also thanked all the presenters.

### **ADJOURNMENT**

Mayor Esteves adjourned the special meeting at 8:41 PM.

**The foregoing minutes were approved by Milpitas City Council on June 7, 2016.**

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**Pam Caronongan**  
**Milpitas Deputy City Clerk**