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BOARD OF DIRECTORS REGULAR MEETING

AGENDA

JANUARY 27, 2022 – 3:00 P.M.

Teleconference/Public Participation Information

This meeting will be held *exclusively* via teleconference participation of a quorum of Board members in locations not open to the public in compliance with Assembly Bill (“AB”) 361 (Rivas, Chapter 165, Statutes of 2021) and its amendments to California Public Resources Code Section 54953(e), allowing for deviation of teleconference and physical location meeting rules otherwise required by the Ralph M. Brown Act. This meeting is being held during a proclaimed state of emergency, and state and local officials have imposed or recommended measures to promote social distancing, while allowing the public to observe and address the Board.

For this meeting, there will be no physical location from which members of the public may observe the meeting. Instead:

- Members of the public are welcome to submit written comments via email to the Board Secretary at Authority@RecycleSmart.org prior or during the time for public comment at the meeting. The Board Secretary will share all comments with the Board at the meeting and make them part of the public record.
- Members of the public are also welcome to observe and address the Board telephonically, at the appropriate time for public comment during the meeting, following these instructions:

Link to join Webinar: <https://us02web.zoom.us/j/85332589396>

Or iPhone one-tap: **1-669-900-6833 or 1-408-638-0968**

Webinar ID: **853 3258 9396**

During the meeting, the Chair will call for public comment. If you wish to address the Board, please so indicate at that time and the Chair will add you to the speaker list and call your name when it is your turn.

Note: To improve everyone's opportunity to participate, please mute your computer or phone until you are called to speak.

In accordance with the Americans with Disabilities Act, California Law, and the Governor's Executive Orders, it is the policy of the Central Contra Costa Solid Waste Authority to offer its public meetings in a manner that is readily accessible to everyone, including those with disabilities. Any individual with a disability may request reasonable modifications or accommodations so that they may observe and address the Board at this teleconference meeting. If you are disabled and require special accommodations to participate, please contact the Board Secretary at least 48 hours in advance of the meeting at Authority@RecycleSmart.org with the following information: name, phone number, email, and type of assistance requested.

1. CALL TO ORDER, ROLL CALL, AND PLEDGE OF ALLEGIANCE

2. PUBLIC COMMENT ON ITEMS NOT ON THIS AGENDA

When addressing the Board, please state your name, company and/or address for the record. There is a three-minute limit to present your information. (The Board Chair may direct questions to any member of the audience as appropriate at any time during the meeting.)

3. CONSENT ITEMS

All items listed in the Consent Calendar may be acted upon in one motion. However, any item may be removed from the Consent Calendar by request by a member of the Board, public, or staff, and considered separately.

- a. Approve Minutes of the Regular Board Meeting on December 09, 2021*
- b. Adopt Resolution 2022-01, Approving continued use of teleconferencing for the meetings of all CCCSWA legislative bodies under Assembly Bill 361*
- c. Adopt a CCCSWA Employee Compensation Policy*

4. PRESENTATIONS

- a. Transparency Certificate of Excellence from the Special District Leadership Foundation*
Colleen Haley, California Special Districts Association
Jen Faught, Contract Compliance Specialist, RecycleSmart
- b. 2020-2021 Annual Schools Program Report
Ruth Abbe, Schools Program Coordinator, Abbe & Associates

5. ACTION ITEMS

- a. Solid Waste Collection Maximum Rates for Rate Year 8*
Adopt Resolution 2022-02, Adopting Maximum Rates for Solid Waste Services for Rate Year 8 (March 1, 2022 through February 28, 2023).
- b. CCCSWA Franchise Contracts
Consider offers from Mt. Diablo Recycling and Allied Waste Systems (Republic Services) relative to recyclables processing, and give direction to Staff regarding those offers and/or another procurement approach for future Franchise Agreement(s).

6. INFORMATION ITEMS

These reports are provided for information only. No Board action is required.

- a. Executive Director’s Monthly Report*
- b. Future Agenda Items*
- c. News Articles of Interest*

7. BOARD COMMUNICATIONS AND ANNOUNCEMENTS

8. ADJOURNMENT

**Corresponding Agenda Report or Attachment is included in this Board packet.*

<p style="text-align: center;"><u>ADDRESSING THE BOARD ON AN ITEM ON THE AGENDA</u></p> <p>Persons wishing to speak on PUBLIC HEARINGS and OTHER MATTERS listed on the agenda will be heard when the Chair calls for comments from the audience, except on public hearing items previously heard and closed to public comment. The Chair may specify the number of minutes each person will be permitted to speak based on the number of persons wishing to speak and the time available. After the public has commented, the item is closed to further public comment and brought to the Board for discussion and action. There is no further comment permitted from the audience unless invited by the Board.</p>
<p style="text-align: center;"><u>ADDRESSING THE BOARD ON AN ITEM NOT ON THE AGENDA</u></p> <p>In accordance with State law, the Board is prohibited from discussing items not calendared on the agenda. For that reason, members of the public wishing to discuss or present a matter to the Board other than a matter which is on the Agenda are requested to present the matter in writing to the Secretary to the Authority at least one week prior to a regularly scheduled Board meeting date. If you are unable to do this, you may make an announcement to the Board of your concern under PUBLIC COMMENTS. Matters brought up which are not on the agenda may be referred to staff for action or calendared on a future agenda.</p>
<p style="text-align: center;"><u>AMERICANS WITH DISABILITIES ACT</u></p> <p>In accordance with the Americans With Disabilities Act and California Law, it is the policy of the Central Contra Costa Solid Waste Authority to offer its public meetings in a manner that is readily accessible to everyone, including those with disabilities. If you are disabled and require special accommodations to participate, please contact the Board Secretary of the Authority at least 48 hours in advance of the meeting at (925) 906-1801.</p>

**REGULAR BOARD MEETING OF THE
CENTRAL CONTRA COSTA SOLID WASTE AUTHORITY
HELD ON DECEMBER 9, 2021**

The Regular Board Meeting of the Central Contra Costa Solid Waste Authority's (CCCSWA's) Board of Directors convened exclusively via teleconference participation of a quorum of Board Members in locations not open to the public in compliance with Assembly Bill (AB) 361 and its amendments to California Public Resources Code Section 54953(e), allowing for deviation of teleconference and physical location meeting rules otherwise required by the Ralph M. Brown Act. This meeting had been held during a proclaimed state of emergency, and state and local officials had imposed or recommended measures to promote social distancing, while allowing the public to observe and address the Board after submitting written comments via email to the Board Secretary at Authority@RecycleSmart.org prior to or during the time for public comment at the meeting.

Chair Matt Francois called the meeting to order at 3:00 P.M. on December 9, 2021.

PRESENT: Board Members: Candace Andersen
Gina Dawson*
Matt Francois, Chair
Teresa Gerringer
Inga Miller
Karen Mitchoff
Renee Morgan
Teresa Onoda
Cindy Silva
Renata Sos, Vice Chair
Amy Worth
*Arrived after Roll Call

ABSENT: Newell Arnerich

Staff members present via teleconference: Ken Etherington, Executive Director; Janna McKay, Executive Assistant/Secretary to the Board; Judith Silver, Senior Program Manager; Jennifer Faught, Contract Compliance Specialist; Ashley Louisiana, Program Manager; and Deborah L. Miller, CCCSWA Counsel.

- 1. CALL TO ORDER, ROLL CALL, AND PLEDGE OF ALLEGIANCE**
- 2. PUBLIC COMMENT ON ITEMS NOT ON THIS AGENDA**

JOE BAUMAN, 9 Tappan Lane, Orinda, a member of the Bear Ridge Homeowner's Association (HOA), expressed appreciation to Ashley Louisiana for helping to address a situation with Republic Services where significant damage had been done to the HOA's private streets by Republic Services vehicles over a period of time. He had requested that Republic Services eliminate multiple trips to HOA streets every week and cover the entire HOA with smaller vehicles. He suggested the excess trash routes that had resulted in damage to the HOA's streets might have occurred in other jurisdictions covered by the Authority, and encouraged RecycleSmart to prioritize a review that could save service fees, reduce damage to streets, and make Republic Services a better vendor.

3. PRESENTATIONS

- a. Solid Waste Collection Rates for Rate Year 8
Erik Nylund, Crowe LLP

Executive Director Ken Etherington advised that during October and November staff and Erik Nylund had met individually (by Zoom) with the member agencies with respect to the rates and any adjustments requested. The rates would return to the Board at the end of January for approval.

Erik Nylund, Crowe LLP, advised that a rate review of Republic Services had been done and an analysis had concluded that a 3.65 percent rate increase was applicable across all of the jurisdictions. He had met with each member agency and had derived the individual jurisdictions specific rates. He explained that of \$62.5 million in the total revenue requirement, Republic Services' fee would be \$45.7 million, the Mt. Diablo Resource Recovery (MDRR) processing and re-use program fees made up \$3.7 million, the franchise fees for the six agencies represented \$4.5 million, the road impact fees for five agencies represented \$5.7 million, and RecycleSmart's diversion programs and administration fees accounted for \$2.9 million.

After meeting with each member agency, Mr. Nylund noted that adjustments had been made by each, which had resulted in rate adjustments between 1.50 and 3.88 percent (2.54 percent average). He explained that no agency had changed the franchise fees in this cycle, although adjustments had been made to the vehicle impact fee. He identified the changes to the residential 32-gallon carts throughout the member agencies ranging from \$0.58/month to \$2.11/month, and offered a residential rate comparison with other jurisdictions where the average was a little over \$41. He added that the Board was expected to approve the rate change on January 27, 2022, although the member agencies could made changes to those rates between now and January 7, 2022.

Board Member Worth asked about the allocation methodology of several of the categories, and Mr. Nylund described the hybrid allocation methodology that had been set up by RecycleSmart. Generally speaking, the components of the cost had been based on an algorithm that included recycling tonnage and in some cases accounts, what he described as a complex allocation model left over from the last base year.

Mr. Etherington advised that the driver's time on a particular route, maintenance costs, and tonnage all came into play with the calculation.

No written comments were submitted, or oral comments made, by any member of the public.

- b. SB 1383 Update
Judith Silver, Senior Program Manager, RecycleSmart

Mr. Etherington explained that there had been presentations to the Board related to SB 1383 at its inception in 2018, during rulemaking (2019-2020) followed by three presentations to the Board in 2021 including the second reading of the ordinance which was on Consent for this meeting.

Mr. Etherington identified additional meetings and training with member agency staff and others to deal with the burdens placed upon member agencies, including the burden of recovered organic waste product procurement. He described the approach that RecycleSmart had developed to

satisfy each member agency's annual obligation related to mulch and compost (from current materials collected), a \$660,000 value annually for all the member agencies. Organics collected from businesses and residents would be sent to Forward Landfill in Stockton where they would be composted and sold. The customer would acknowledge that the finished compost would benefit the procurement requirements and satisfy the member agencies' obligations. Staff would reach out to each member agency in the next two weeks to confirm if a member agency wanted to be included in the accounting process with RecycleSmart as the lead. This process would start on January 1, 2022.

Mr. Etherington commented that Republic Services had been exceptionally good to work with the language on their receipts which would include the acknowledgement of procurement requirements. Since the requirement rested with the member agencies, confirming member agency's inclusion or not would be requested. There would be no problem if a member agency did not want to be included but those member agencies not included would then have to purchase the amount of recovered organic waste products set forth in the SB 1383 procurement target to comply with the regulation.

Judith Silver, Senior Program Manager, provided an overview of SB 1383 which would go into effect on January 1, 2022. She described SB 1383 as the most significant legislation to be adopted in California in the last 30 years, to reduce by 75 percent from the 2014 level by 2025 the amount of disposal of organic matter. She described the obligations of SB 1383 on local government, facilities and generators, and identified the required passage of an enforceable ordinance to monitor and enforce generators. Through the JPA, RecycleSmart would handle the ordinance on behalf of the member agencies and member agencies did not need to pass the ordinance by reference.

Ms. Silver highlighted the components and requirements of the ordinance, identified the responsibilities of RecycleSmart, the member agencies, and the generators, and stated that in almost all areas RecycleSmart was largely compliant. With the procurement procedure presented by Mr. Etherington, the member agencies would be compliant as well. She described the record-keeping protocols, the specific actions that generators must comply with, and stated that RecycleSmart was in compliance ahead of most agencies with the SB 1383 collection approach, including the edible food recovery program for Tier 1 and Tier 2 businesses. She described the components of SB 1383 with respect to education and community outreach, capacity planning, required annual inspections, and compliance and enforcement, as well as the implementation record.

Board Member Onoda referred to a possible grant and suggested that high school and college environmental groups might be a resource to consider for education and outreach purposes.

Ms. Silver responded to comments with respect to Tier 1 and Tier 2 edible food generators and explained that the food service agreements would be in place in the next few months.

In response to Board Member Worth, Ms. Silver clarified that schools (Tier 2) had multiple obligations including the obligation to participate in organics diversion and the obligation of food donation. At a recent meeting with RecycleSmart's schools team, staff had made sure that the school contractor was working with White Pony Express to begin the process and would have to

be compliant by January 1, 2024.

Ms. Silver also explained how multi-tenant facilities would be addressed and stated that sharing was allowed as were waivers in some cases. She acknowledged that the waiver procedure would have to be clarified.

Board Member Silva stated the differences between Tier 1 and Tier 2 regulations needed to be clarified. She verified that private schools had been included with other schools in Tier 2 and noted, as did others, that some schools were missing from the list presented. She verified that compliance with Tier 2 regulations would not eliminate the requirement for green organic carts.

As to how shopping centers would be addressed, Ms. Silver explained that the threshold for a business was 250 seats to be part of a food recovery program in Tier 2, and there were few restaurants in the RecycleSmart service area that large.

Ms. Silver sought information from Board Members to complete the appropriate lists. She also clarified with respect to senior care facilities that those facilities with over 100 beds would be regulated under Tier 2 requirements.

No written comments were submitted, or oral comments made, by any member of the public.

4. CONSENT ITEMS

- a. Approve Minutes of the CCCSWA Board Meeting on October 28, 2021
- b. Approve 2022 Board of Director Meeting Schedule
- c. Adopt Resolution 2021-04, Approving Continued Use of Teleconferencing for the Meetings of all CCCSWA Legislative Bodies under Assembly Bill 361
- d. Conduct Second Reading and Adopt Ordinance 21-1: Mandatory Organic Waste Disposal Reduction Ordinance

MOTION by Board Member Worth to approve Consent Items a., b., c. and d. SECOND by Board Member Andersen.

MOTION PASSED unanimously by a Roll Call vote.

5. ACTION ITEMS

- a. Provider Services Agreement with SGA Marketing for Development of an Organic Waste Recycling Outreach Campaign
Authorize the Executive Director to execute a Provider Services Agreement with SGA Marketing for the development of an organics recycling outreach campaign at a cost not-to-exceed \$49,192.

Ashley Louisiana, Program Manager provided an update on a Request for Proposal (RFP) for an organics recycling outreach campaign. She identified some of the key outreach requirements under SB 1383 starting January 1, 2022 with respect to organics recycling, and stated that more awareness and participation in organics recycling programs would help minimize any potential

enforcement actions beginning in 2024. SB 1383 required a focus on the environmental impacts of landfilling organics and the benefits of reducing methane emissions.

Outreach was required on food waste prevention and on proper sorting to reduce contamination in all three streams. Edible food recovery was a new requirement, with participation by 2024, and written recovery agreements needed to be in place. SB 1383 also expands upon 827, requiring all commercial businesses to have a three-container collection system in public facing areas (excluding restrooms).

Ms. Louisiana identified RecycleSmart's current outreach with a website, newsletter, previous outreach campaigns, social media, as-needed outreach and through the franchise agreement partnering with Republic Services through other resources and tools. She also identified the future campaign with the goal to increase awareness and organics recycling participation and encourage better sorting to reduce contamination in all three streams.

Ms. Louisiana described the RFP review process with six proposals submitted with costs ranging from \$28,000 to \$70,000. She described the evaluation criteria and presented the outcome of the review process where SGA Marketing had been identified with the highest remarks for creativity, previous projects and work samples and with a cost proposal at \$49,192. She highlighted SGA's proposal through a community-based social marketing campaign and stated the messaging would be tested prior to the release of the entire campaign. She added that the Board had approved a budget for an outreach campaign at \$162,000, and after paying for SGA Marketing there would be \$112,808 remaining, a portion of which could be used for costs related to the campaign. If approved, the contract could start on December 10, 2021.

In response to Board Member Silva, Ms. Louisiana clarified that public street containers or park containers were not covered under SB 1383. She also commented with respect to education and outreach that the metrics involved were calls and emails, and Google analytics among others. Diversion had been hovering around 63 percent where the state goal was 75 percent. A future baseline could be less contamination in all three carts and providing direct outreach to the carts at the curb, and contamination reduction. She commented that actually seeing what was in the carts would help staff identify a baseline. As a result, the first audit would have to be done quickly.

Board Member Worth suggested delivering a move-in kit and food scrap container to new residents.

No written comments were submitted, or oral comments made, by any member of the public.

MOTION by Board Member Andersen to authorize the Executive Director to execute a Provider Services Agreement with SGA Marketing for the development of an organics recycling outreach campaign at a cost not-to-exceed \$49,192. SECOND by Board Member Morgan.

MOTION PASSED unanimously by a Roll Call vote.

b. General Fund Minimum Fund Balance Reserve and Application of Funds in Excess of the Reserve Policy

Adopt the General Fund Minimum Fund Balance Reserve and Application of Funds in Excess of the Reserve Policy.

Mr. Etherington presented the carryover from the October meeting and stated the policy was to have an appropriate level of reserve funds and procedures on those funds that become excessive. The Finance Committee had met in September and the policy incorporated into the staff report had come from the Finance Committee's comments and any changes from that meeting had been incorporated. The Board meeting in October had discussed the different allocation methods of the funds. In the current staff report and the current policy proposed from the Finance Committee, the allocation had been done by using the tons from solid waste including garbage, green waste and recycling.

In response to the Chair as to the reserve policy at 20 percent of General Fund expenditures, Deborah Miller, CCCSWA Counsel, identified the 20 percent total of the 2020/2021 Budget with \$1.069 million in reserve. The current reserve after dispersing the amounts the Board had already approved for dispersal would leave \$1.445 million above the targeted reserve amount (the excess).

Board Member Miller noted that the Finance Committee had not looked at alternative methods of allocating a disbursement of funds. She questioned the reason for selecting solid waste tonnage as the basis for the calculation for disbursement as opposed to the tons from solid waste including garbage, green waste and recycling. She suggested the distribution of funds should be based on the same rubric as the revenue was generated.

Mr. Etherington clarified the reason for the use of solid waste tonnage for disbursement was because it was the simplest to calculate and represented direct tons from those three waste streams allocated to the city, although staff could work directly from garbage, green waste and recycling if requested by the Board. He added that drive time, time to serve the route, and number of homes was a different approach but could be incorporated into the distribution of funds, all of which he noted were pretty tight.

Board Member Silva stated that \$1.445 million above the required \$1.069 million would mean there was the ability to distribute the remainder to the member agencies in subsequent years, and if expenses increased the reserves would increase, which would have to be budgeted and reflected in the rates. On the alternatives, she suggested the difference between the methods of allocation would change every year. A discussion developed on whether or not that would be the case.

Board Member Miller commented that the numbers would not shift drastically using the suggested method of calculation in the staff report based on the weight of garbage versus the allocation of cost. She asked if there were any foreseeable reasons for which the two numbers would not align in the future. She wanted to explore all the elements of that process as well as the risks involved.

Mr. Etherington explained that the only thing that had changed in the contract was that RecycleSmart was now charged for recycling processing. The rate setting used a number of different calculations and the tonnage method was the simplest, although the rate setting process could also be used if desired.

Board Member Worth suggested the challenge with the reserve policy was that the revenue requirements for the ratepayers would include the several factors involved, which would also include revenue to maintain a proportionate reserve. She recommended the adoption of a policy about reserve and about distribution.

Ms. Miller advised that in any year the Board could elect not to set a reserve of 20 percent.

Board Member Silva also noted there could be the ability not to distribute reserves and there could be the ability to retain those reserves for rate smoothing.

No written comments were submitted, or oral comments made, by any member of the public.

MOTION by Board Member Silva to Adopt the General Fund Minimum Fund Balance Reserve and Application of Funds in Excess of the Reserve Policy, as recommended by the Finance Committee for Method 1.
SECOND by Board Member Andersen.

MOTION PASSED by the following Roll Call vote.

AYES: Andersen, Dawson, Francois, Geringer, Mitchoff, Morgan,
Onoda, Silva, Sos, Worth

NOES: Miller

ABSENT: Arnerich

- c. Amendments to the Use of Authority Funds Allocated to Member Agencies Policy
Adopt the Amendments to the Use of Authority Funds Allocated to Member Agencies Policy

Deborah Miller, CCCSWA Counsel, advised that the item had been on the calendar for the last meeting although there had been insufficient time to address it. She referred to the existing policy that described the use of RecycleSmart funds distributed to the member agencies. The purpose was to protect RecycleSmart by ensuring that the agencies used the funds consistent with RecycleSmart's purposes to avoid any concern that money was transmitted from RecycleSmart to the agencies as a gift of public funds. With the elimination of the Diversion Incentive Fund (DIF) and with a reserve fund that could contain sources of funds from a variety of places, staff thought it prudent to update the existing policy to identify all sources of RecycleSmart funds that could be transmitted to the member agencies. The item had been recommended by the Finance Committee for approval.

In response to Vice Chair Sos, Ms. Miller clarified that the item was a housekeeping item and did not address the topic of how funds were allocated, but once allocated that the member agencies agreed to use the funds for purposes consistent with RecycleSmart and not for anything completely unrelated to solid waste.

No written comments were submitted, or oral comments made, by any member of the public.

MOTION by Board Member Miller to Adopt the Amendments to the Use of Authority Funds Allocated to Member Agencies Policy. SECOND by Board Member Gerringer.

MOTION PASSED unanimously by a Roll Call vote.

6. INFORMATION ITEMS

Reports were provided for information only and no Board action was required.

- a. Executive Director's Monthly Report
- b. Communications to the Authority
- c. Future Agenda Items
- d. News Articles of Interest

7. BOARD COMMUNICATIONS AND ANNOUNCEMENTS

The Board congratulated the newly-elected Mayors.

Chair Francois expressed Holiday wishes to all.

8. ADJOURNMENT

The Board adjourned at 5:00 P.M. to the meeting scheduled for January 27, 2022 at 3:00 P.M.

Respectfully submitted by:

Janna McKay, Executive Assistant/
Secretary to the Board of the
Central Contra Costa Solid Waste Authority,
County of Contra Costa, State of California



Central Contra Costa Solid Waste Authority

Agenda Report

TO: CCCSWA BOARD OF DIRECTORS

FROM: KEN ETHERINGTON, EXECUTIVE DIRECTOR
DEBORAH MILLER, LEGAL COUNSEL

DATE: JANUARY 27, 2022

SUBJECT: **CONSIDER CONTINUED USE OF TELECONFERENCING FOR THE MEETINGS OF ALL CCCSWA LEGISLATIVE BODIES UNDER ASSEMBLY BILL 361**

SUMMARY

Based on proclaimed state of emergency, and guidance from the Contra Costa County Health office, consider and adopt resolution approving continued use of teleconferencing for the meetings of all CCCSWA legislative bodies under Assembly Bill 361.

RECOMMENDED ACTION

1. Adopt Resolution 2022-01, approving continued use of teleconferencing for the meetings of all CCCSWA legislative bodies under Assembly Bill 361.

DISCUSSION

On March 4, 2020, Governor Newsom proclaimed a state of emergency in California in connection with the Coronavirus Disease 2019 (“COVID-19”) pandemic.

State and local officials have imposed or recommended measures to promote social distancing. For example, the Health Officer for Contra Costa County published “Recommendations for Safely Holding Public Meetings” on September 20, 2021. Those recommendations “strongly recommend” on-line meetings, that local agencies should provide options for the public to participate without having to attend meetings in person, and that social distancing should be used, including six feet of spacing between all in attendance.

On September 16, 2021, the Governor signed Assembly Bill (“AB”) 361, a bill that amends the Brown Act to allow local public agencies to continue to meet by teleconferencing during a state of emergency without complying with restrictions in the Brown Act that would otherwise apply.

AB 361 contains several requirements in order to continue the use of remote meetings. The key provisions include:

- There must be a state of emergency declared under the California Emergency Services Act. This effectively means the Governor must have declared the emergency.
- During that state of emergency, either (i) state or local officials must have imposed or recommended measures to promote social distancing; or (ii) the local legislative body must determine that meeting in person would present an imminent risk to the health or safety of attendees.
- The local legislative body must reconsider the factors above at least every 30 days, and adopt specified findings that the facts relied upon still exist.

Attached for the Board's consideration is a resolution making the necessary findings under AB 361. The resolution is drafted to make the action taken by the CCCSWA Board applicable to all of the CCCSWA's legislative bodies as defined by the Brown Act, which includes the Board's standing committees. If the CCCSWA Board adopts the recommended resolution, the standing committees will not be required to make their own findings.

The CCCSWA Board last considered and adopted a resolution under AB 361 on December 9, 2021. AB 361 requires the CCCSWA Board to regularly reconsider the findings in the proposed resolution. Staff plan to include an item on the consent calendar of each Board meeting to allow the Board to consider and adopt (and/or update) the findings in the resolution for as long as the Governor's proclaimed state of emergency related to the COVID-19 pandemic remains in effect and state and local officials continue to recommend or require measures to promote social distancing.

ATTACHMENT

- A. Resolution 2022-01, Continued Use of Teleconference for the Meetings of all CCCSWA Legislative Bodies under AB 361

RESOLUTION NO. 2022-01

**CENTRAL CONTRA COSTA SOLID WASTE AUTHORITY
CONTINUED USE OF TELECONFERENCING FOR THE MEETINGS OF ALL
CCCSWA LEGISLATIVE BODIES UNDER ASSEMBLY BILL 361**

WHEREAS, The Central Contra Costa Solid Waste Authority (“CCCSWA”) is a joint powers agency organized and existing under the laws of the State of California; and

WHEREAS, On March 4, 2020, the Governor of the State of California proclaimed a state of emergency under the State Emergency Services Act in connection with the Coronavirus Disease 2019 (“COVID-19”) pandemic, and that state of emergency remains in effect; and

WHEREAS, State and local officials have imposed or recommended measures to promote social distancing. For example, on September 20, 2021, the Health Officer for Contra Costa County published “Recommendations for Safely Holding Public Meetings.” Those recommendations “strongly recommend” on-line meetings, that local agencies should provide options for the public to participate without having to attend meetings in person, and that social distancing should be used, including six feet of spacing between all in attendance; and

WHEREAS, On September 16, 2021, the Governor signed Assembly Bill (“AB”) 361 (Rivas, Chapter 165, Statutes of 2021), a bill that amends the Brown Act to allow local public agencies to continue to meet by teleconferencing technology during a state of emergency without complying with restrictions in the Brown Act that would otherwise apply, subject to certain conditions, which must be reconsidered every 30 days; and

WHEREAS, The CCCSWA Board of Directors and its legislative bodies have met remotely during the COVID-19 pandemic and, so long as the state of emergency continues, can continue to do so in a manner that allows public participation and transparency while minimizing health risks to members, staff, and the public that would be present with in-person meetings; now, therefore, be it

RESOLVED, On behalf of all legislative bodies of the CCCSWA, the CCCSWA Board of Directors finds as follows:

1. As described above, as of the date of this meeting, the Governor’s proclaimed state of emergency remains in effect; and
2. As described above, as of the date of this meeting, State and local officials recommend measures to promote physical distancing and other social distancing measures; and, be it

FURTHER RESOLVED, For the reasons described above, the CCCSWA Board of Directors finds that for at least the next 30 days it is necessary for all legislative bodies of the CCCSWA to continue meeting exclusively by teleconferencing technology to promote public health and safety; and, be it

FURTHER RESOLVED, That the CCCSWA Board of Directors will review and reconsider the findings made herein at a meeting of the Board within the next 30 days, or if the Board does not meet within the next 30 days, at the next earliest meeting of the Board; and, be it

FURTHER RESOLVED, That the CCCSWA Board of Directors' findings contained herein are made on behalf of and shall apply to all legislative bodies of the CCCSWA.

PASSED AND ADOPTED by the CCCSWA Board of Directors this ____ day of _____, 2022, by the following vote:

AYES:	Members:	_____
NOES:	Members:	_____
ABSTAIN:	Members:	_____
ABSENT:	Members:	_____

Matthew Francois, Chair
Central Contra Costa Solid Waste Authority,
County of Contra Costa, State of California

COUNTER-SIGNED:

APPROVED AS TO FORM:

Janna E. McKay, Secretary of the Board
for the Central Contra Costa Solid Waste
Authority, County of Contra Costa, State
of California

Deborah L. Miller, Counsel for the
Central Contra Costa Solid Waste Authority
County of Contra Costa, State of California



Agenda Report

TO: CCCSWA BOARD OF DIRECTORS
FROM: AD HOC COMMITTEE ON SALARIES
DATE: JANUARY 27, 2022

SUBJECT: CCCSWA EMPLOYEE COMPENSATION POLICY

SUMMARY

Consider and adopt a CCCSWA Employee Compensation Policy (“Policy”). The Policy addresses compensation for the employees of CCCSWA. It is recommended by the Ad Hoc Committee on Salaries. The Policy would replace the existing Annual COLA and Salary Step Increase Policy.

RECOMMENDED ACTION

1. Adopt a CCCSWA Employee Compensation Policy.

DISCUSSION

On July 22, 2021, the Board appointed the Ad Hoc Committee on Salaries to study the impacts of salary increases and methods for addressing such increases in the long-term budget. The Committee members are Chair Francois, Director Arnerich, Director Silva, and Director Worth.

The Ad Hoc Committee reviewed the CCCSWA’s existing Annual COLA and Salary Step Increase Policy, the agency’s salary schedule, the agency’s recent salary surveys, and other information. The Committee considered the typical workflows of the Board’s Personnel and Finance Committees. The Committee also considered the personnel and employee compensation policies of other public agencies, including the City of Walnut Creek’s Personnel System Rules and Regulations.

The Ad Hoc Committee drafted the attached Policy and recommends that the Board consider it for adoption. Some of the goals of the Policy are to ensure the agency attracts and retains highly qualified and skilled employees; provides an equitable and transparent compensation system for employees; and ensures fiscal responsibility and appropriate oversight by the Board.

Among other things, the Policy describes CCCSWA's procedures and practices relating to:

1. Adoption of a salary schedule for the agency based on a five-step system for each employment classification within the agency.
2. Annual review of the salary schedule and consideration of potential changes to the schedule.
3. Placement within the salary range for an employment classification, and potential advancement within the range.
4. Appointment to a different employment classification.
5. Preparation of a salary survey, and potential changes to the salary schedule as a result.

The Policy affirms the delegation of staff management authority to the Executive Director. The Policy codifies many of the existing practices of the Board and the Agency. The Committee consulted with the CCCSWA's outside employment counsel, and incorporated her feedback in the Policy presented here.

The Policy would replace the existing Annual COLA and Salary Step Increase Policy, which was adopted by the Board September 22, 2016.

ATTACHMENT

A. CCCSWA Employee Compensation Policy

CENTRAL CONTRA COSTA SOLID WASTE AUTHORITY

POLICY TITLE: Employee Compensation Policy

A. Purpose

The policy addresses compensation for the employees of the Central Contra Costa Solid Waste Authority (“CCCSWA”). The policy goals include: ensuring the agency attracts and retains highly qualified and skilled employees; providing an equitable and transparent compensation system for agency employees; and ensuring fiscal responsibility of the agency and appropriate oversight by the Board of Directors (“Board”). This policy does not create any contract of employment, express or implied, or any rights in the nature of a contract.

B. Policy

1. Compensation Based on Salary Schedule

The Board adopts a salary schedule for the agency. The salary schedule describes the range of salary rates based on a five-step system (Step A through E) for each employment classification/title/position within the agency. The Board may periodically update the salary schedule; all changes to the salary schedule must be approved by the Board. The salary schedule will be posted on the agency’s website.

Each employee is appointed to an employment classification/title/position, as well as a step within the salary range for that classification. Employees are compensated based on their employment classification and step within the salary range for that classification, in conformance with the Board-approved salary schedule.

2. Annual Review of Salary Schedule

The Executive Director will annually review the salary schedule with the Personnel Committee and make recommendations for any changes. Annual changes are not automatic. Recommendations for changes will be based on factors such as:

- Changes in costs of living;
- Adjustments to salary rates being made by the member agencies; and
- CCCSWA’s financial conditions and policies.

The Personnel Committee will consider and make recommendations to the Finance Committee regarding any changes to the salary schedule. The Finance Committee will consider the recommendations in the context of the agency’s overall budget and make recommendations to the Board regarding any changes to the salary schedule. The Board will consider and may approve any changes to the salary schedule in its discretion. Any Board-approved changes to the salary schedule shall occur in advance of (or concurrent

with) the agency budget setting process for the following fiscal year, and are expected to be effective July 1 (the start of the fiscal year).

3. Advancement Within a Salary Range

At the time of hiring, employees are appointed by the Executive Director to a step within the salary range for the employment classification. Initial employment will normally be at the first step in the salary range for the position. Initial employment may be at a higher step in the salary range when necessary to recruit a qualified applicant or based on superior qualifications, experience, and education, at the discretion of the Executive Director.

Over time, employees are eligible for advancement within a salary range at the discretion of the Executive Director (e.g., moving from Step B to C) until they reach the highest salary rate within the range (Step E), at which time the employee is no longer eligible for step advancements within the classification. Advancements are not automatic.

Employees are expected to be reviewed by the Executive Director for potential advancement within the salary range every 12 months until they reach the highest salary rate within the range (Step E) for their classification.

4. Appointment to a Different Employment Classification

Employees may be eligible for appointment to a different employment classification/title/position within the agency at the discretion of the Executive Director (e.g., promotion from Waste Prevention & Recycling Manager II to III). The Executive Director's determination shall be based on factors such as:

- Significant changes in the scope of duties, functions, and responsibilities;
- Significant changes in the complexity of duties, functions, and responsibilities;
- Increased supervisory responsibilities; and
- The needs of the agency.

Promotions will normally be at the lowest step in the salary range for the new classification that provides an increase over the salary rate received by the employee immediately prior to promotion.

5. Salary Survey

Periodically, the Executive Director may prepare a salary survey. The purpose of the survey is to provide information about how the agency's salary schedule compares to the comparable market for public agencies of similar size and scale, and to the member agencies. The salary survey shall be based on comparable positions (which may or may not have the same job title). Comparability shall be based on factors such as:

- Typical or required education, training, and qualifications for the position;

- Scope and complexity of duties, functions, and responsibilities; and
- Supervisory responsibilities (e.g., number of direct reports).

The Executive Director will review the salary survey with the Personnel Committee and recommend any changes to the salary schedule. Changes to the salary schedule based on the results of a salary survey are not automatic. Recommendations for change will be based on factors such as:

- Material deviation in the agency's salary rates and total compensation compared to comparable market;
- Challenges attracting and retaining employees as a result of a materially below-market salary schedule and total compensation; and
- CCCSWA's financial conditions and policies.

The Personnel Committee will consider and make recommendations to the Finance Committee regarding any changes to the salary schedule. The Finance Committee will consider the recommendations in the context of the agency's overall budget and make recommendations to the Board regarding any changes to the salary schedule. The Board will consider and may approve any changes to the salary schedule in its discretion.

6. Periodic Organizational Review

At the time a staff vacancy occurs, and more frequently as deemed appropriate, the Executive Director will review the agency's organizational structure and staffing plan with the Personnel Committee.

7. Other

- A. Any changes to the salary schedule based on annual review or as a result of a salary survey, and any advancement within a classification or appointment to a new classification, must be consistent with the Board-approved budget.
- B. The Executive Director's compensation is at the discretion of the Board, subject to the terms of the negotiated employment contract and state law. The Executive Director's compensation will be included on the agency's salary schedule.
- C. This policy supersedes and replaces the Annual COLA and Salary Step Increase Policy (adopted September 22, 2016).



Central Contra Costa Solid Waste Authority

Agenda Report

TO: CCCSWA BOARD OF DIRECTORS
FROM: JENNIFER FAUGHT, CONTRACT COMPLIANCE SPECIALIST
DATE: JANUARY 27, 2022
SUBJECT: AWARD OF CSDA–SPECIAL DISTRICT LEADERSHIP FOUNDATION
TRANSPARENCY CERTIFICATE OF EXCELLENCE

SUMMARY

In 2021, RecycleSmart pursued, and was awarded, a Transparency Certificate of Excellence from California Special District Association’s Special District Leadership Foundation.

RECOMMENDED ACTION

1. This report is provided for information only. No Board action is required.

DISCUSSION

In 2021, RecycleSmart pursued a Transparency Certificate of Excellence from CSDA’s Special District Leadership Foundation (SDLF). To earn this award, RecycleSmart was required to demonstrate that it met all requirements, including, among other things: adoption of policies regarding Public Record Act requests, the Brown Act, conflicts of interest, reimbursements, and financial reserves; proof of Form 700 filings and ethics trainings for all Board members; timely filings of State Controller’s Financial Transaction Report; website requirements such as current budget, audit, meeting agenda and minutes, Board and Staff contact information, area map, joint powers agreement, and links to State Controller pages showing compensation and financial reports. A full list of the requirements can be found on the SDLF website: <https://www.sdlf.org/programs/transparency>.

Over the course of last year, Staff gathered all the required documents, edited and updated the RecycleSmart website, created a public records act form and a new link on our website. Staff submitted the application at the end of November and the certificate was awarded in December.

Although RecycleSmart is not a special district, SDLF extends transparency certificate eligibility to joint powers authorities.

ATTACHMENT

- A. District Transparency Certificate of Excellence

District Transparency Certificate of Excellence

November 2021 – December 2024

The Special District Leadership Foundation is proud to present this
District Transparency Certificate of Excellence to

RecycleSmart

In recognition of the district's completion of all transparency program requirements
designed to promote transparency in their operations and governance
to the public and other stakeholders.



David Aranda, SDLF Board President



Neil McCormick, SDLF Chief Executive Officer



Central Contra Costa Solid Waste Authority

Agenda Report

TO: CCCSWA BOARD OF DIRECTORS
KEN ETHERINGTON, EXECUTIVE DIRECTOR
FROM: WENDY NELSON, FINANCE MANAGER/CONTROLLER
CC: ERIK NYLUND, CROWE LLP
DATE: JANUARY 27, 2022

SUBJECT: SOLID WASTE COLLECTION MAXIMUM RATES FOR RATE YEAR 8

SUMMARY

At the September 23, 2021 Board meeting, and thereafter at individual meetings with the Member Agency's representatives and their staff, the components of Rate Year 8 (RY8) maximum rate setting were analyzed, explained and discussed. Following these activities, a Board meeting was held on December 9, 2021 to present the results of the draft proposed maximum rates of the Member Agencies. It is now appropriate for the Board to consider setting solid waste maximum rates for CCCSWA (Authority) customers for March 2022 through February 2023.

RECOMMENDED ACTION

1. Approve Resolution 2022-02, Adopting Maximum Rates for Solid Waste Services for Rate Year 8 (March 1, 2022 through February 28, 2023).

DISCUSSION

The maximum solid waste collection rates set by the Authority are made up of a number of components which over the past few months have been presented and discussed at individual meetings with representatives from each Member Agency and to the Board. These activities have resulted in having the information necessary to set maximum rates for March 2022 through February 2023 at the Authority's January 27, 2022 Board meeting.

RY8 Revenue Requirement - \$62,775,230

The Authority's annual revenue requirement is made up of three major components:

- 1) **Collection Company Compensation** (Republic Services) for the collection and disposal of

municipal solid waste and the collection of recyclable materials and organic materials, as required by state law.

- 2) **Member Agency/JPA-related Expenses**, including Franchise Fees, Vehicle Impact Fees, MDR Recycling Payment, and JPA-related Expenses.
- 3) **Other Program Costs**, including the Reuse/Clean-up Program with MDR.

The following is a summary of each component:

Collection Company Compensation for RY7 - \$45,674,556

Compensation to Republic Services (Republic) for the collection and disposal of municipal solid waste, the collection of organic materials, and the collection of recyclable materials to Mt. Diablo Recycling (MDR) for processing, have been computed and allocated to Member Agencies as set forth on Attachment “B.”

Crowe LLP (Crowe) audited the cost submission from Republic and computed costs for Republic at \$45,674,556 in accordance with the rate setting methodology set forth in the Franchise Agreement between the Authority and Republic Services, dated May 14, 2014.

Member Agency / JPA-related Expenses for RY7 - \$15,973,163

These expenses are comprised of:

- 1) Member Agencies franchise fees;
- 2) Vehicle impact costs resulting from the frequent traversal of heavy collection vehicles on Member Agency streets;
- 3) MDR recycling processing payment. As part of a settlement agreement with MDR, CCCSWA pays MDR for processing of the recyclable materials delivered from the service area.
- 4) JPA-related expenses and Authority-wide diversion program costs;

Table 1 summarizes the Member Agency franchise fee percentages and vehicle impact costs for RY7, as determined individually by each Member Agency.

Table 1 - Summary of Member Agency Franchise Fees & Vehicle Impact Costs

Member Agency	Franchise Fee (as a % of Contractor’s Compensation)	Vehicle Impact Costs
Danville	10.0% (no change)	\$868,803
Lafayette	10.0% (no change)	\$1,104,716
Moraga	12.0% (no change)	\$879,003
Orinda	12.2% (no change)	\$1,269,662
Walnut Creek	10.0% (no change)	\$1,849,099
County	7.0% (no change)	none

Based on the table above (with dollar amounts shown by Member Agency on “Attachment B”), the total Member Agency franchise fees are \$4,453,020 for RY8.

The dollar amounts associated with the vehicle impact costs in Table 1 are shown on “Attachment B” (a total of \$5,971,283 Authority-wide).

The MDR recycling payment of \$2,547,852 and JPA administrative expenses and authority-wide diversion program costs of \$3,001,008 are also included in “Attachment B” allocated by Member Agency.

Other Program Expenses for RY8 - \$1,127,511

The final component of the RY8 Revenue Requirement is the cost of the Reuse/Cleanup Program. This program provides two annual residential reuse days where residents can place reusable or recyclable items at the curb. MDR will collect and process the reuse materials, including, the collection of household batteries from retail locations throughout the Authority’s service area.

Operating Revenue Surplus/Shortfall

Attachment “B” calculates the projected revenue requirement surplus/shortfall and the projected rate impact. As shown on Line 8 of Attachment “B”, the Total RY8 Revenue Requirement (Authority-wide for all Member Agencies) is \$62,775,230.

As shown on Line 9 of Attachment “B”, the adjusted prior year revenues are \$60,303,027, for a projected Authority-wide revenue shortfall (before RY8 rate adjustment) of \$2,472,203 (Line 10).

Through discussions with each Member Agency, the following maximum rate adjustments are proposed effective March 1, 2022 (Table 2).

Attachment “C” projects the available reserves at the end of RY8.

Table 2 - Summary of Maximum Rate Adjustments

	Danville	Lafayette	Moraga	Orinda	Walnut Creek	County
Residential	2.00%	1.50%	2.00%	3.88%	2.37%	3.50%
Multi-Family	2.00%	1.50%	2.00%	3.88%	2.37%	3.50%
Commercial	2.00%	1.50%	2.00%	3.88%	2.37%	3.50%
Debris Box	2.00%	1.50%	2.00%	3.88%	2.37%	3.50%
Miscellaneous	2.29%	2.29%	2.29%	2.29%	2.29%	2.29%

Attachment “A” contains the new proposed maximum rates for each Member Agency based on the percentage increases summarized in Table 2.

The following table (Table 3) compares the Member Agencies’ proposed 32-gallon residential

maximum rates (the most common level of service received by residential customers) to the rates of similar communities.

Table 3 - Residential Rate Comparison – (32-gallon containers)

Jurisdiction	32-gal. \$/Mo.	Recycling Frequency	Yard Waste Frequency
Piedmont	\$93.23	Weekly	Weekly
El Cerrito	\$59.77	Weekly	Weekly
Orinda *	\$56.61	Weekly	Weekly
Kensington	\$49.04	Weekly	2x per month
Richmond	\$43.02	Weekly	Weekly
San Ramon	\$42.05	Weekly	Weekly
Moraga *	\$41.92	Weekly	Weekly
Hercules	\$41.67	Weekly	Weekly
Livermore	\$39.63	Weekly	Weekly
Lafayette *	\$39.52	Weekly	Weekly
Martinez	\$38.81	Weekly	Weekly
Pinole	\$38.71	Weekly	Weekly
Dublin	\$38.39	Weekly	Weekly
West CC County	\$38.23	Weekly	Weekly
Concord	\$35.14	Weekly	Weekly
San Pablo	\$35.06	Weekly	Weekly
Danville *	\$33.20	Weekly	Weekly
Antioch	\$32.55	Weekly	Weekly
County *	\$30.86	Weekly	Weekly
Clayton	\$30.58	Weekly	Weekly
Brentwood	\$29.77	Bi-weekly	Weekly
Pleasant Hill	\$29.44	Weekly	Weekly
Walnut Creek *	\$26.74	Weekly	Weekly

* Reflects 2022 proposed rates; all other rates are subject to increases during 2022

ATTACHMENTS

- A. Proposed Rates for each Member Agency
- B. RY8 Revenue Requirement Surplus/(Shortfall)
- C. RY8 Projected End-of-Year Reserves
- D. Resolution 2022-02 – Maximum Rates for RY8

Residential RY8 Rates (\$/month)
(rates effective March 1, 2022)

<u>Description</u>	<u>County (Pleasanton)</u>	<u>County (Tassajara)</u>	<u>County</u>	<u>Danville</u>	<u>Lafayette</u>	<u>Moraga</u>	<u>Orinda</u>	<u>Walnut Creek</u>
Miscellaneous Rates								
Extra pick-up on non-scheduled day and "go-back" on scheduled day - Per Cart	40.92	40.92	40.92	40.92	40.92	40.92	40.92	40.92
Example: On regularly scheduled collection, the cart is								
· Blocked / not accessible								
· Not out for scheduled exchange								
· Unserviceable due to contamination								
Container Exchange - Per Cart (beyond 1x/year*)	51.15	51.15	51.15	51.15	51.15	51.15	51.15	51.15
On-Call Recyclables or Organics Pick-ups Per Bag / Bundle (beyond 4x/year**)	15.34	15.34	15.34	15.34	15.34	15.34	15.34	15.34
On-Call E-Waste Materials Pick-ups*** Per Pick-Up	51.15	51.15	51.15	51.15	51.15	51.15	51.15	51.15
Account Restart - Per Occurrence:								
· Re-Drop Fee: If cart removed and re-delivered	51.15	51.15	51.15	51.15	51.15	51.15	51.15	51.15
· Admin Fee : If cart not physically removed from service location	15.34	15.34	15.34	15.34	15.34	15.34	15.34	15.34

* One cart size exchange per Rate Year at no charge

** Four on call pick-ups per Rate Year at no charge

*** Also available to Multi-Family subscribers

ATTACHMENT A

Commercial RY8 Rates (\$/month) (rates effective March 1, 2022)

<u>Container</u>	<u>Frequency</u>	<u>County</u>	<u>Danville</u>	<u>Lafayette</u>	<u>Moraga</u>	<u>Orinda</u>	<u>WC</u>
Cart Service							
32-gal cart	1/week	29.27	29.11	41.33	39.69	63.14	34.95
32-gal cart	2/week	58.56	58.19	82.63	79.34	126.25	69.89
32-gal cart	3/week	87.83	87.33	123.96	119.01	189.33	104.82
32-gal cart	4/week	117.09	116.44	165.27	158.63	252.45	139.75
32-gal cart	5/week	146.38	145.52	206.57	198.31	315.58	174.70
64-gal cart	1/week	58.56	58.19	79.20	79.34	126.25	69.89
64-gal cart	2/week	117.09	116.44	158.41	158.63	252.45	139.75
64-gal cart	3/week	175.66	174.64	237.62	237.99	378.73	209.63
96-gal cart	1/week	87.83	87.33	115.40	119.01	189.33	104.82
96-gal cart	2/week	175.66	174.64	230.76	237.99	378.73	209.63
96-gal cart	3/week	263.50	261.93	346.17	356.98	568.04	314.44
96-gal cart	4/week	351.29	349.25	461.53	475.96	757.35	419.25
96-gal cart	5/week	439.16	436.53	576.93	594.94	946.73	572.15
96-gal cart	6/week	526.98	523.98	692.37	714.10	1,136.04	686.59
Bin Service							
1 Yard	1/week	185.64	187.68	247.19	243.09	329.36	131.01
1 Yard	2/week	371.33	375.33	494.38	486.18	658.77	262.05
1 Yard	3/week	556.94	563.01	741.55	729.29	988.14	429.12
1 Yard	4/week	742.61	750.70	988.73	972.35	1,317.49	572.15
1 Yard	5/week	928.26	938.38	1,235.91	1,215.48	1,646.86	715.21
1 Yard	6/week	1,113.92	1,126.02	1,483.13	1,458.56	1,976.28	858.23
2 Yard	1/week	371.33	375.33	482.65	486.18	658.77	262.05
2 Yard	2/week	742.61	750.70	965.31	972.35	1,317.49	572.15
2 Yard	3/week	1,113.92	1,126.02	1,447.97	1,458.56	1,976.28	858.23
2 Yard	4/week	1,485.21	1,501.37	1,930.61	1,944.77	2,635.01	1,144.29
2 Yard	5/week	1,856.53	1,876.69	2,413.28	2,430.92	3,293.76	1,430.39
2 Yard	6/week	2,227.82	2,252.09	2,895.94	2,917.13	3,952.54	1,716.46
3 Yard	1/week	556.94	563.01	713.16	729.29	988.14	429.12
3 Yard	2/week	1,113.92	1,126.02	1,426.32	1,458.56	1,976.28	858.23
3 Yard	3/week	1,670.86	1,689.05	2,139.49	2,187.87	2,964.41	1,287.33
3 Yard	4/week	2,227.82	2,252.09	2,852.65	2,917.13	3,952.54	1,716.46
3 Yard	5/week	2,784.79	2,815.08	3,565.82	3,646.42	4,940.68	2,145.57
3 Yard	6/week	3,341.75	3,378.10	4,278.96	4,375.70	5,928.81	2,574.68

ATTACHMENT A

Commercial RY8 Rates (\$/month) (rates effective March 1, 2022)

<u>Container</u>	<u>Frequency</u>	<u>County</u>	<u>Danville</u>	<u>Lafayette</u>	<u>Moraga</u>	<u>Orinda</u>	<u>WC</u>
4 Yard	1/week	742.61	750.70	950.88	972.35	1,317.49	572.15
4 Yard	2/week	1,485.21	1,501.37	1,901.75	1,944.77	2,635.01	1,144.29
4 Yard	3/week	2,227.82	2,252.09	2,852.65	2,917.13	3,952.54	1,716.46
4 Yard	4/week	2,970.44	3,002.77	3,803.54	3,889.50	5,270.05	2,288.60
4 Yard	5/week	3,713.03	3,753.45	4,754.44	4,861.89	6,587.58	2,860.75
4 Yard	6/week	4,455.69	4,504.11	5,705.33	5,834.24	7,905.03	3,432.88
5 Yard	1/week	928.26	938.37	1,188.60	1,215.47	1,646.86	715.20
5 Yard	2/week	1,856.53	1,876.69	2,377.19	2,430.92	3,293.76	1,430.39
5 Yard	3/week	2,784.79	2,815.08	3,565.82	3,646.42	4,940.68	2,145.57
5 Yard	6/week	5,569.58	5,630.16	7,131.64	7,292.84	9,881.28	4,291.13
6 Yard	1/week	1,113.92	1,126.02	1,396.58	1,458.56	1,976.28	858.23
6 Yard	2/week	2,227.82	2,252.09	2,793.17	2,917.13	3,952.54	1,716.46
6 Yard	3/week	3,341.75	3,378.10	4,189.76	4,375.70	5,928.81	2,574.68
6 Yard	4/week	4,455.69	4,504.11	5,586.36	5,834.24	7,905.03	3,432.88
6 Yard	5/week	5,569.58	5,630.16	6,982.94	7,292.84	9,881.28	4,291.13
6 Yard	6/week	6,683.48	6,756.21	8,379.51	8,751.39	11,857.57	5,149.40
8 Yard	1/week	1,485.21	1,501.37	1,862.13	1,944.77	2,635.01	1,144.29
8 Yard	2/week	2,970.44	3,002.77	3,724.23	3,889.50	5,270.05	2,288.60
8 Yard	3/week	4,455.69	4,504.11	5,586.36	5,834.24	7,905.03	3,432.88
8 Yard	4/week	5,940.90	6,005.52	7,448.45	7,778.97	10,540.05	4,577.23
8 Yard	5/week	7,426.09	7,506.85	9,310.57	9,723.76	13,175.11	5,721.50
8 Yard	6/week	8,911.33	9,008.25	11,172.69	11,668.51	15,810.11	6,865.82
10 Yard	1/week	1,856.53	1,876.69	2,320.88	2,430.92	3,293.76	1,430.39
Compactor Rates							
1.5 Yd Compactor	Per Lift	128.53	139.02	176.57	171.48	212.72	86.42
1.5 Yd Monthly Fee	1/week	556.93	602.34	765.05	743.04	921.70	374.49
1.5 Yd Monthly Fee	2/week	1,113.88	1,204.67	1,530.11	1,486.16	1,843.38	817.65
1.5 Yd Monthly Fee	3/week	1,669.78	1,807.36	2,293.52	2,227.80	2,763.20	1,226.49
1.5 Yd Monthly Fee	4/week	2,226.34	2,409.80	3,058.07	2,970.35	3,684.25	1,635.33
1.5 Yd Monthly Fee	5/week	2,784.69	3,011.67	3,825.29	3,715.42	4,608.43	2,044.15
1.5 Yd Monthly Fee	6/week	3,341.63	3,614.02	4,590.35	4,458.50	5,530.12	2,452.99
2 Yd Compactor	Per Lift	171.36	185.36	235.41	228.68	283.61	115.21
3 Yd Compactor	Per Lift	257.03	278.06	347.85	342.98	425.45	188.67
4 Yd Compactor	Per Lift	342.73	370.73	463.81	457.33	567.27	251.59
6 Yd Compactor	Per Lift	336.03	556.10	597.51	685.98	850.86	377.38

ATTACHMENT A

Commercial RY8 Rates (\$/month)
(rates effective March 1, 2022)

<u>Container</u>	<u>Frequency</u>	<u>County</u>	<u>Danville</u>	<u>Lafayette</u>	<u>Moraga</u>	<u>Orinda</u>	<u>WC</u>
Miscellaneous Rates							
Special Event Rates	Per Event	Commercial Rate - Varies by Member Agency *					
Extra Pick-Up: (On-Call periodic additional service Solid Waste, Recyclables, or Food Waste)	Per Bin Per Cart	Commercial Monthly Solid Waste Rate divided by 4.33 *					
		40.92	40.92	40.92	40.92	40.92	40.92
Overages: Collection of Material in Excess of Bin/Cart Size	Bin Overage - Per Yard Cart Overages - Per Bag (32 gal)	Commercial Monthly Solid Waste One Time a Week Rate divided by 4.33 times # of yards extra *					
		15.34	15.34	15.34	15.34	15.34	15.34
Additional Container Exchange	Per Cart (beyond 1x/year***) Per Bin (beyond 1x/year***)	51.15	51.15	51.15	51.15	51.15	51.15
Purchase and Delivery of Replacement Lock	Per Occurrence	153.44	153.44	153.44	153.44	153.44	153.44
Container Replacement (Missing / Stolen / Destroyed - due to fire)	Per Occurrence (beyond 1x/year***)	Market Rate of Missing Bin/Cart					

* See Attachment A for applicable RY8 rate

** Courtesy - one time no charge

*** One cart/bin size exchange per Rate Year at no charge

ATTACHMENT A

Multi-family RY8 Rates (\$/month)
(rates effective March 1, 2022)

<u>Container</u>	<u>Frequency</u>	<u>County</u>	<u>Danville</u>	<u>Lafayette</u>	<u>Moraga</u>	<u>Orinda</u>	<u>Walnut Creek</u>
Cart Service							
32-gal cart	1/week	28.05	31.84	38.55	39.21	52.15	26.21
32-gal cart	2/week	56.02	63.65	77.09	78.41	104.24	52.42
32-gal cart	3/week	84.07	95.50	115.63	117.62	156.41	78.61
32-gal cart	5/week	140.12	159.16	192.74	195.99	260.70	131.01
64-gal cart	1/week	56.02	63.65	77.09	78.41	104.24	52.42
64-gal cart	2/week	112.11	127.34	154.19	156.79	208.58	104.81
64-gal cart	3/week	168.15	190.97	231.29	235.20	312.81	157.21
96-gal cart	1/week	84.07	95.50	115.63	117.62	156.41	78.61
96-gal cart	2/week	168.15	190.97	231.29	235.20	312.81	157.21
96-gal cart	3/week	252.21	286.46	346.91	352.79	469.26	235.85
96-gal cart	4/week	336.24	381.93	462.55	470.40	625.67	314.44
96-gal cart	5/week	420.33	477.41	578.18	587.98	782.05	393.06
Bin Service							
1 Yard	1/week	191.06	205.22	227.98	239.15	273.40	106.99
1 Yard	2/week	382.12	410.49	455.97	478.28	546.88	214.01
1 Yard	3/week	573.19	615.71	683.93	717.38	820.27	321.02
1 Yard	4/week	764.26	820.97	911.91	956.55	1,093.67	428.02
1 Yard	5/week	955.36	1,026.18	1,139.90	1,195.67	1,367.12	535.03
1 Yard	6/week	1,146.41	1,231.43	1,367.90	1,434.83	1,640.54	642.03
2 Yard	1/week	382.12	410.49	455.97	478.28	546.88	214.01
2 Yard	2/week	764.26	820.97	911.91	956.55	1,093.67	428.02
2 Yard	3/week	1,146.41	1,231.43	1,367.90	1,434.83	1,640.54	642.03
2 Yard	4/week	1,528.51	1,641.89	1,823.82	1,913.08	2,187.38	856.07
2 Yard	5/week	1,910.67	2,052.38	2,279.80	2,391.35	2,734.20	1,070.07
2 Yard	6/week	2,292.78	2,462.85	2,735.77	2,869.62	3,281.04	1,284.09

ATTACHMENT A

Multi-family RY8 Rates (\$/month)
(rates effective March 1, 2022)

<u>Container</u>	<u>Frequency</u>	<u>County</u>	<u>Danville</u>	<u>Lafayette</u>	<u>Moraga</u>	<u>Orinda</u>	<u>Walnut Creek</u>
3 Yard	1/week	573.19	615.71	683.93	717.38	820.27	321.02
3 Yard	2/week	1,146.41	1,231.43	1,367.90	1,434.83	1,640.54	642.03
3 Yard	3/week	1,719.59	1,847.15	2,051.82	2,152.18	2,460.80	963.07
3 Yard	4/week	2,292.78	2,462.85	2,735.77	2,869.62	3,281.04	1,284.09
3 Yard	5/week	2,866.02	3,078.55	3,419.69	3,587.04	4,101.33	1,605.12
3 Yard	6/week	3,439.23	3,694.27	4,103.62	4,304.41	4,921.59	1,926.11
4 Yard	1/week	764.26	820.97	911.91	956.55	1,093.67	428.02
4 Yard	2/week	1,528.51	1,641.89	1,823.82	1,913.08	2,187.38	856.07
4 Yard	3/week	2,292.78	2,462.85	2,735.77	2,869.62	3,281.04	1,284.09
4 Yard	4/week	3,057.08	3,283.77	3,647.67	3,826.16	4,374.71	1,712.13
4 Yard	5/week	3,821.34	4,104.76	4,559.58	4,782.69	5,468.40	2,140.16
4 Yard	6/week	4,585.61	4,925.69	5,471.51	5,739.24	6,562.10	2,568.18
6 Yard	1/week	1,146.41	1,231.43	1,367.90	1,434.83	1,640.54	642.03
6 Yard	2/week	2,292.78	2,462.85	2,735.77	2,869.62	3,281.04	1,284.09
6 Yard	3/week	3,439.23	3,694.27	4,103.62	4,304.41	4,921.59	1,926.11
6 Yard	4/week	4,585.61	4,925.69	5,471.51	5,739.24	6,562.10	2,568.18
6 Yard	5/week	5,732.03	6,157.11	6,839.38	7,174.04	8,202.60	3,210.22
6 Yard	6/week	6,878.40	7,388.54	8,207.27	8,608.84	9,843.11	3,852.31
8 Yard	1/week	1,528.51	1,641.89	1,823.82	1,913.08	2,187.38	856.07
8 Yard	2/week	3,057.08	3,283.77	3,647.67	3,826.16	4,374.71	1,712.13
8 Yard	3/week	4,585.61	4,925.69	5,471.51	5,739.24	6,562.10	2,568.18
8 Yard	4/week	6,114.16	6,567.62	7,295.35	7,652.33	8,749.43	3,424.24
8 Yard	5/week	7,642.67	8,209.50	9,119.19	9,565.41	10,936.81	4,280.28
8 Yard	6/week	9,171.24	9,851.38	10,943.02	11,478.51	13,124.13	5,136.36
10 Yard	1/week	1,910.67	2,052.38	2,279.80	2,391.35	2,734.20	1,070.07
Compactor Rates							
1.5 Yd Compactor	Per Lift	132.25	142.11	157.85	165.55	189.27	74.06
2 Yd Compactor	Per Lift	176.35	189.43	210.45	220.73	252.39	98.76
3 Yd Compactor	Per Lift	264.58	284.19	315.64	331.11	378.60	148.15
4 Yd Compactor	Per Lift	352.79	378.90	420.88	441.52	504.75	197.53

ATTACHMENT A

Multi-family RY8 Rates (\$/month)
(rates effective March 1, 2022)

<u>Container</u>	<u>Frequency</u>	<u>County</u>	<u>Danville</u>	<u>Lafayette</u>	<u>Moraga</u>	<u>Orinda</u>	<u>Walnut Creek</u>
Miscellaneous Rates							
Extra Pick-Up: (On-Call periodic additional service Solid Waste, Recyclables, or Food Waste)							
	Per Bin Per Cart	Multi-Family Monthly Solid Waste Rate divided by 4.33 *					
		40.92	40.92	40.92	40.92	40.92	40.92
Overages:							
Collection of Material in Excess of Bin/Cart Size		Multi-Family Monthly Solid Waste One Time a Week Rate divided by 4.33 times # of yards extra *					
	Bin Overage - Per Yard						
	Cart Overages - Per Bag (32 gal)	15.34	15.34	15.34	15.34	15.34	15.34
On-Call E-Waste Materials Pick-ups		51.15	51.15	51.15	51.15	51.15	51.15
Additional Container Exchange							
	Per Cart (beyond 1x/year***)	51.15	51.15	51.15	51.15	51.15	51.15
	Per Bin (beyond 1x/year***)	153.44	153.44	153.44	153.44	153.44	153.44
Purchase and Delivery of Replacement Lock		25.57	25.57	25.57	25.57	25.57	25.57
Container Replacement (Missing / Stolen / Destroyed - due to fire)		Market Rate of Missing Bin/Cart					
	Per Occurrence (beyond 1x/year**)						

* See Attachment A for applicable RY8 rate

** Courtesy - one time no charge

*** One cart/bin size exchange per Rate Year at no charge

ATTACHMENT A

Debris Box RY8 Rates (\$ per pull)
(rates effective March 1, 2022)

<u>Description</u>	<u>Frequency</u>	<u>Max. Weight*</u>	<u>County</u>	<u>Danville</u>	<u>Lafayette</u>	<u>Moraga</u>	<u>Orinda</u>	<u>WC</u>
Compactor Boxes								
7 Yard	Per Pull	3 Tons	621.81	622.05	675.38	763.42	893.22	745.25
10 Yard	Per Pull	4 Tons	888.29	888.58	964.81	1,090.53	1,276.04	1,064.63
12 Yard	Per Pull	4.25 Tons	1,065.99	1,066.34	1,157.78	1,308.67	1,531.25	1,277.55
14 Yard	Per Pull		1,243.65	1,244.07	1,350.72	1,526.79	1,786.43	1,490.46
15 Yard	Per Pull	5 Tons	1,332.48	1,332.92	1,447.23	1,635.86	1,914.07	1,596.93
16 Yard	Per Pull		1,421.30	1,421.83	1,543.72	1,744.91	2,041.70	1,703.43
20 Yard	Per Pull	6 Tons	1,776.63	1,777.29	1,929.66	2,181.20	2,552.05	2,129.29
25 Yard	Per Pull		2,220.78	2,221.59	2,412.02	2,726.43	3,190.07	2,661.60
30 Yard	Per Pull	8.5 Tons	2,664.95	2,665.91	2,894.43	3,271.71	3,828.13	3,193.89
32 Yard	Per Pull	9 Tons	2,842.61	2,843.63	3,087.41	3,489.86	4,083.30	3,406.80
40 Yard	Per Pull	10 Tons	3,553.24	3,554.53	3,859.24	4,362.30	5,104.16	4,258.51
Loose Debris Boxes								
4 yard (Handy Hauler)	Per Pull		210.88	210.97	229.01	258.89	302.93	252.72
5 yard (Handy Hauler)	Per Pull		263.58	263.68	286.30	323.62	378.66	315.89
6 yard (Handy Hauler)	Per Pull		316.33	316.43	343.57	388.33	454.37	379.10
10 Yard Dirt/Concrete Box	Per Pull	4 Tons	888.29	888.58	964.81	1,090.53	1,276.04	1,064.63
12 Yard	Per Pull		532.99	533.19	578.90	654.33	765.61	638.80
14 Yard	Per Pull		621.81	622.05	675.38	763.42	893.22	745.25
15 Yard	Per Pull	3 Tons	666.23	666.51	723.61	817.92	957.03	798.50
16 Yard	Per Pull		710.64	710.90	771.86	872.49	1,020.84	851.72
20 Yard	Per Pull	4 Tons	888.29	888.58	964.81	1,090.53	1,276.04	1,064.63
25 Yard	Per Pull		1,110.39	1,110.78	1,206.02	1,363.25	1,595.07	1,330.81
30 Yard	Per Pull	5 Tons	1,332.48	1,332.91	1,447.23	1,635.86	1,914.07	1,596.93
40 Yard	Per Pull	6 Tons	1,776.63	1,777.29	1,929.66	2,181.20	2,552.05	2,129.29
50 Yard	Per Pull	6.75 Tons	2,220.78	2,221.59	2,412.02	2,726.43	3,190.07	2,661.60
Miscellaneous Rates								
Dry Run / Check Box	Per Month		177.98	177.98	177.98	177.98	177.98	177.98
Demurrage / Minimum Lift Fee (Debris Box and Compactor)	Per Occurrence (beyond 1x/year**)		One Haul Rate Charge (Varies by Member Agency) ***					

* Load exceeding the maximum weight will be charged additional disposal fees
 ** Courtesy – one time no charge
 *** See Attachment A for applicable RY8 Commercial/Multi-Family rates

ATTACHMENT B

RY8 Revenue Requirement Surplus/(Shortfall)

No.	Cost	Danville	Lafayette	Moraga	Orinda	Walnut Creek	County	Total
1	Republic Compensation	\$ 8,688,030	\$ 5,935,043	\$ 3,042,480	\$ 4,343,437	\$ 14,637,532	\$ 9,028,035	\$ 45,674,556
	Member Agency Share %	19.0%	13.0%	6.7%	9.5%	32.0%	19.8%	100.0%
	Member Agency/JPA Administrative Expenses							
2	Franchise Fees	\$ 868,803	\$ 593,504	\$ 365,098	\$ 529,899	\$ 1,463,753	\$ 631,962	\$ 4,453,020
3	Vehicle Impact Costs	868,803	1,104,716	879,003	1,269,662	1,849,099	-	5,971,283
4	MDR Recycling Payment	510,516	294,656	180,124	208,476	831,494	522,586	2,547,852
5	JPA-related Expenses	582,056	367,095	203,787	268,077	984,131	595,862	3,001,008
6	Total MA/JPA Expenses	\$ 2,830,178	\$ 2,359,972	\$ 1,628,012	\$ 2,276,114	\$ 5,128,477	\$ 1,750,410	\$ 15,973,163
	Other Program Costs							
7	ReUse/Clean Up Program	263,955	139,502	81,582	111,647	268,580	262,246	1,127,511
8	Total RY 8 Revenue Requirement	\$ 11,782,163	\$ 8,434,516	\$ 4,752,074	\$ 6,731,197	\$ 20,034,589	\$ 11,040,691	\$ 62,775,230
	Prior RY Revenue Requirement	\$ 11,419,222	\$ 8,165,341	\$ 4,590,670	\$ 6,480,035	\$ 19,533,744	\$ 10,652,741	\$ 60,841,753
	Prior RY Reserve Increase/Decrease	(410,858)	459	4,122	-	37,556	(170,005)	(538,726)
9	Adjusted PY "Revenues"	\$ 11,008,364	\$ 8,165,800	\$ 4,594,792	\$ 6,480,035	\$ 19,571,300	\$ 10,482,736	\$ 60,303,027
10	RY8 Surplus/(Shortfall)*	\$ (773,799)	\$ (268,716)	\$ (157,282)	\$ (251,162)	\$ (463,289)	\$ (557,955)	\$ (2,472,203)
11	Proposed RY8 Rate Adjustment	2.00%	1.50%	2.00%	3.88%	2.37%	3.50%	

* Before proposed RY 8 Rate Adjustment.

RY8 Projected End-of-Year Reserves

No.	Cost	Danville	Lafayette	Moraga	Orinda	Walnut Creek	County	Total
1	Proposed Rate Adjustment	2.00%	1.50%	2.00%	3.88%	2.37%	3.50%	
2	6/30/21 Ending Balances	\$ 3,180,267	\$ 2,351,835	\$ 740,338	\$ 1,003,058	\$ 3,034,915	\$ 2,062,738	\$ 12,373,151
3	Recycling Contribution Allocation	189,622	108,719	67,314	77,547	307,122	194,121	944,445
4	Remaining DIF Fund Balance Allocation	380,324	218,057	135,012	155,537	615,996	389,348	1,894,274
5	RY7 Due To (Due From) Reserves	(410,858)	459	4,122	-	37,556	(170,005)	(538,726)
6	RY8 Due To (Due From) Reserves*	(553,631)	(146,228)	(65,386)	(0)	0	(191,059)	(956,304)
7	Projected Available Reserves for RY 9 Rates	\$ 2,785,723	\$ 2,532,842	\$ 881,400	\$ 1,236,142	\$ 3,995,590	\$ 2,285,143	\$ 13,716,840

* RY 8 rates were set to include individual Member Agencies' use of reserves or contribution to reserves.

RESOLUTION NO. 2022-02

**RESOLUTION OF THE
CENTRAL CONTRA COSTA SOLID WASTE AUTHORITY
ADOPTING RATE YEAR EIGHT MAXIMUM RATES
PURSUANT TO THE FRANCHISE AGREEMENT WITH ALLIED
WASTE SYSTEMS, INC. FOR FRANCHISED MATERIALS
COLLECTION, TRANSFER, TRANSPORT, PROCESSING AND
DISPOSAL SERVICES**

WHEREAS, the Central Contra Costa Solid Waste Authority (hereinafter “CCCSWA”), pursuant to Resolution No. 2014-05, entered into a Franchise Agreement with Allied Waste Systems, Inc., dba as Allied Waste Services of Contra Costa County and also dba Republic Services of Contra Costa County (“Contractor”) for Franchised Materials Collection, Transfer, Transport, Processing, Diversion, and Disposal Services, dated May 14, 2014 (hereinafter “Franchise Agreement”); and

WHEREAS, Article 10 of the Franchise Agreement provides that the Contractor will charge and collect rates from subscribers for services provided under the Franchise Agreement; and

WHEREAS, the CCCSWA approves the maximum amount of the rates that the Contractor may charge subscribers; and

WHEREAS, the maximum rates for Rate Year Eight are based on the Contractor’s proposed costs and operating assumptions for Rate Year Eight, which are set forth in Exhibit N of the Franchise Agreement; and

WHEREAS, the maximum rates for Rate Year Eight will be effective March 1, 2022 through February 28, 2023, and will not be adjusted to reflect either increases or decreases in costs during Rate Year Eight; and

WHEREAS, the maximum rates for subsequent rate years (excluding Rate Year Nine) will be adjusted annually using an index-based adjustment method set forth in Exhibit D of the Franchise Agreement, and the maximum rates for Rate Year Nine will be adjusted using a cost-based method set forth in Exhibit E of the Franchise Agreement.

WHEREAS, the Rate Year Eight Revenue Requirement was approved by the CCCSWA Board of Directors at its meeting on this _____ day of _____.

NOW, THEREFORE, the Board of Directors of the CCCSWA resolves as follows:

1. The CCCSWA hereby approves and adopts the maximum rates for Rate Year Eight of the Franchise Agreement that Contractor may charge subscribers, which are set forth in Attachment A to this Resolution.
2. The maximum rates for Rate Year Eight shall be effective March 1, 2022 through February 28, 2023.
3. This Resolution shall take effect March 1, 2022.

PASSED AND ADOPTED by the CCCSWA Board of Directors this _____ day of _____

by the following vote:

AYES:	Members:	_____
NOES:	Members:	_____
ABSTAIN:	Members:	_____
ABSENT:	Members:	_____

Matthew Francois, Chair
Central Contra Costa Solid Waste Authority,
County of Contra Costa, State of California

COUNTER-SIGNED:

APPROVED AS TO FORM:

Janna E. McKay, Secretary of the Board
for the Central Contra Costa Solid Waste
Authority, County of Contra Costa, State
of California

Deborah L. Miller, Counsel for the
Central Contra Costa Solid Waste Authority
County of Contra Costa, State of California



Central Contra Costa Solid Waste Authority

Agenda Report

TO: CCCSWA BOARD OF DIRECTORS
FROM: KEN ETHERINGTON, EXECUTIVE DIRECTOR
DATE: JANUARY 27, 2022
SUBJECT: EXECUTIVE DIRECTOR'S MONTHLY REPORT

SUMMARY

RecycleSmart Staff performs high level programmatic and administrative tasks each month to provide outreach and education to residents, businesses and schools to increase diversion and instill waste prevention practices. Staff manages the franchise agreements and customer service in addition to monitoring facility and monthly reporting by our service providers. Staff actively engages with community groups and regional partners on a variety of topics including SB 1383, legislation and industry best practices.

RECOMMENDED ACTION

1. This report is provided for information only. No Board action is required.

DISCUSSION

Staff is using this Executive Director's report to convey 2020 disposal and diversion information. Reporting as a Regional Agency, **per capita disposal in 2020 was 3.5 pounds**. This is below the 4.7 pounds per person "disposal target" established for RecycleSmart by the state. RecycleSmart communities continue to exceed the AB 939 50% annual diversion requirement. Using a methodology provided by CalRecycle, staff calculates a **63% diversion equivalent for 2020**; the 2019 diversion equivalent was 64%.

RecycleSmart 2020 disposal and diversion tonnage information is shown in Table 1 below. It is important to note that the AB 939 50% diversion compliance goal is based on disposal only. The disposal tonnage figure comes directly from CalRecycle's state-wide reporting system. The RecycleSmart diversion program information is derived from reports provided to our agency by our service providers. Ultimately, diversion program implementation and utilization will reduce total disposal. COVID-19 is responsible for the drop in diversion between 2019 and 2020. The impact was greatest in the commercial and C&D sectors.

Table 1 - 2020 Disposal and Diversion Tonnage

Regional Agency Disposal	2019	2020	Percent Change
Total Disposal	109,156	111,440	+ 2%
Total Diversion*	156,827	135,648	- 14%

*Includes residential, commercial, multi-family, reuse and C&D tonnage.

Provided below is information on completed and ongoing activities in December 2021 and January 2022.

- Held monthly meeting with school’s program contractor Ruth Abbe & Associates to coordinate schools zero waste program.
- Held annual (virtual) meeting with member agency C&D staff and Green Halo to review C&D program diversion and program updates.
- The Authority updated its list of mixed C&D facilities to include only those that are 3rd party verified. Beginning January 1, 2022 only 3rd party verified facilities will be eligible to receive C&D material from covered projects in the RecycleSmart service area. The approved Mixed C&D processing facility list is available on the RecycleSmart website: www.recycleSMART.org/businesses/construction-demo .
- RecycleSmart entered into a Board approved Provider Services Agreement with SGA Marketing on December 10, 2021 for development of an organics recycling outreach campaign in response to SB 1383. Staff is meeting with SGA on a weekly basis. The campaign will be finalized in May 2022 and may include truck signs, mailers, local advertising, social media advertising, and new messaging for the RecycleSmart newsletter and website.
- SB 1383 related:
 - One-time CalRecycle SB 1383 local assistance grant funding is available. The application is due February 1, 2022. On January 19, staff was informed by CalRecycle that the Authority is not eligible to apply for this grant funding. CalRecycle stated that for a JPA to be eligible, all members must be part of the application. Because portions of the County are not part of the Authority, they cannot be included, and there is no methodology to account for partial membership. On January 20, staff sent an email to the member agency liaisons with this update, encouraging each member agency to pursue grant funding individually and designating RecycleSmart as its “consultant” in order for the funds to be used by the agency once received.
 - Staff mailed letters January 1, 2022 to townhomes, multifamily property account holders, commercial entities, and schools outlining SB 1383 requirements and directing them to the RecycleSmart website for more information and to review Ordinance 21-1.
 - Staff communicated with member agency liaisons to confirm interest in the Organic Waste Product Procurement arrangement with Republic Services/Forward Compost Facility described during the December 9, 2021 Board Meeting. Staff has confirmed interest from the County, Walnut Creek, Danville, Lafayette and Moraga.

- Staff, in partnership with Republic Services and Mt. Diablo Resource Recovery, is updating outreach materials to include SB 1383 information.
- Updated RecycleSmart website with information related to SB 1383 including RecycleSmart Ordinance 21-1 (Mandatory Organic Waste Disposal Reduction Ordinance).
- In advance of the organics cart rollout to Townhomes, staff is communicating with townhome residents and HOAs to provide information.
- Staff is attending a Bi-weekly CalRecycle food rescue grant implementation meeting with White Pony Express.
- Scheduled SB 1383 presentation dates at City/Town Councils:
 - o Danville – November 16, 2021 (completed)
 - o Walnut Creek – January 18, 2022 (completed)
 - o Orinda – February 1, 2022
 - o Lafayette – February 14, 2022
 - o Moraga – March 9, 2022
 - o County (declined)
- SB 1383 countywide working Group Meeting, January 3.
- Continued development of the route monitoring and container contamination protocol. Designed new cart tags (organics, recycling and landfill) with assistance from SCS Engineers and Republic Services. Pilot lid flip assessments will be conducted the week of February 7, including both residential and commercial routes. Member Agency Liaisons and Police Departments will be informed.
- Staff participated in the following additional meetings and events:
 - California Organics Recycling Technical Council, December 17 and January 14
 - Town of Moraga Monthly Liaison Meeting, December 17 and January 14
 - Bay Area Recycling Outreach Coalition (BayROC) meeting, January 11
 - NCRA Zero Food Waste Committee Meeting, January 14
 - Quarterly AB 939 Meeting with countywide recycling coordinators, January 18
 - Monthly Bay Area wide SB 1383 Food Recovery Working group, January 18
 - Alameda County Recycling Market Network, January 20
 - US Conference of Mayors Municipal Waste Management Executive Committee Meeting, January 27



Central Contra Costa Solid Waste Authority

Future Agenda Items

TYPE BOARD MEETING: 02/24/2022	
C	Approve 01/27/2022 Minutes
C	Receive Fiscal Year 2020-21 Financial Statements and Auditors' Report
C	Mid-Year 2022 Budget Actuals
C	Adopt Resolution 2022-03, Continued use of Teleconferencing for all CCCSWA meetings under AB 361
I	Discussion on AB 1276
I	Executive Director's Monthly Report

TYPE BOARD MEETING: 03/24/2022	
C	Approve 02/24/2022 Minutes
C	Adopt Resolution 2022-04, Continued use of Teleconferencing for all CCCSWA meetings under AB 361
A	Elect Chair and Vice Chair for 2022-23
A	Adopt Resolution 2022-05 Recognizing Matthew Francois as CCCSWA Chair for 2021-22
A	2022 Legislation Bills and Recommendations
I	Executive Director's Monthly Report

TYPE BOARD MEETING: 04/28/2022	
C	Adopt Resolution 2022-06, Continued use of Teleconferencing for all CCCSWA meetings under AB 361
C	Approve 03/24/2022 Minutes
A	2022 Operations and Reuse Budgets
I	Executive Director's Monthly Report

TYPE

- C – Consent Item
- A – Action Item
- I – Information Item
- P – Presentation

Delayed trash pick-ups? LA Sanitation says it's due to COVID



ABC 7 News By [Sophie Flay](#), Monday, January 10, 2022

Residents in Tarzana say trash pickup has been delayed by multiple days.

TARZANA (KABC) -- If you've noticed your trash isn't getting picked up regularly, you're not alone. Residents in Tarzana say trash pickup has been delayed by multiple days.

"I haven't called because I figured they'll come and get it eventually," said Tarzana resident Cynthia Ling.

But this isn't news to L.A. Sanitation and Environment either. According to officials, there's a worker shortage.

"COVID has impacted us, we have about 15% of our employees right now out because of COVID," said Alex Helou of L.A. Sanitation and Environment.

Helou says it's an "all-hands-on deck" situation.

"We are working on Saturdays to catch up," said Helou.

Residents have also reported that garbage trucks are combining waste bins. They say that the green bin and black bins aren't being separated. Helou called this is unacceptable and will investigate the problem.

Residents also say the blue bins are being left behind.

"They did not pick up the blue waste. But they picked up the green and the black waste," said Ling.

Helou says to leave the blue bin out while they catch up on pickups and you can call the customer service line at 1-800-773-2489 for more help.



California is about to witness its biggest change to trash since the '80s. Hint: It's all about composting

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Dawn has just broken over Recology's vast Blossom Valley Organics composting facility, about 70 miles east of San Francisco in Vernalis (San Joaquin County). The cold fall air hits like a slap to the face as orange light creeps over the horizon.

As the sun rises over the site, one of six the company operates statewide, a fine grit rides on the air, which is thick with the smell of earthy decomposition.

Operations Supervisor Clifford Reposa casts a wary eye on a 25-ton trailer of organic waste as it is hoisted on a hydraulic lift almost vertically against the pale and reddening sky.

"Not good. Lots of plastic bags," Reposa mutters, his arms crossed as he watches a flood of pumpkins, apple cores, bits of wood and piles of leaves trucked in from San Francisco tumble out, adding to the towering piles of refuse that dwarf huge bulldozers moving it around in a deafening, mechanical dance.

This load of refuse is just a fraction of the roughly 1,500 tons of compostable material the 120-acre facility takes in every day from San Francisco and parts of the East Bay and South Bay. It comes here to be reborn as natural fertilizer used on vineyards and farms, and in varietals that are crafted specifically for different types of soil.

After those plastic bags and nonorganic materials are plucked out by men, women and gargantuan machines with names like The Titan, what remains will be placed into heaping piles that eventually break down into dark compost some farmers call "black gold." Those heaps that stand higher than

a person are sprayed with water and heated and cooled for two months to help trillions of microorganisms turn the solid waste into rich food for hungry crops.

Towering mounds of compost are being processed at Recology's facility in Vernalis (San Joaquin County).

The size of the undertaking feels gargantuan, but more and expanded operations like this will have to be built at great expense to meet California's ambitious goals to divert three-quarters of organic waste out of landfills by 2025 and use it as compost, required by a 2016 state law called SB 1383.

Already the state is far behind its goals, missing its 2020 mark of cutting in half how much organic waste ends up in landfills compared to 2014. And with a Jan. 1, 2022, deadline for jurisdictions to have a plan to keep those apple cores and pumpkins out of landfills or potentially face fines of up to \$10,000 per violation per day, some cities are scrambling to get their programs up and running, or to qualify for a waiver to push out the deadlines.

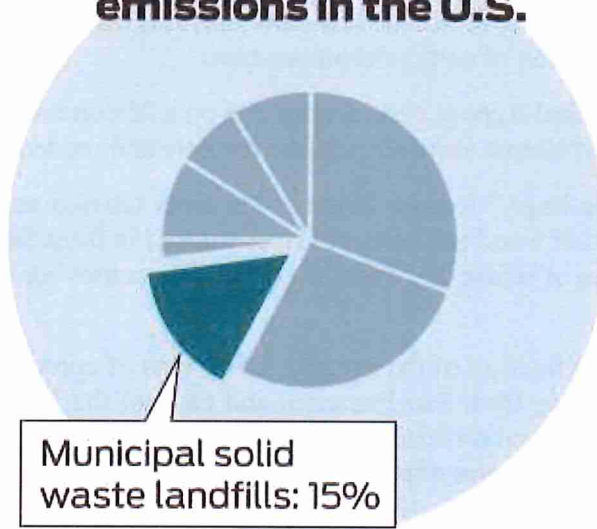
Exact cost estimates are lacking, but the effort is expected to take years and cost billions of dollars. What is certain is that many California residents will see their waste pickup rates, and overall costs, increase in the years to come, if they haven't already.

The reason for all this is as simple as it is pressing: fighting climate change.

That's because as food and other organic matter break down in landfills they emit methane and other planet-warming gases that make up roughly 20% of the state's methane emissions. That makes composting no longer just a concern for trash haulers and organic farmers, but for the future of a warming and increasingly wildfire-prone California.

Those big changes start with a small choice, like throwing an apple core into the green compost bin instead of landfilling it where it breaks down and creates greenhouse gases.

Human-generated methane emissions in the U.S.



When an apple core is tossed into a green compost bin, a truck picks it up. In San Francisco it goes to a transfer station in the city before going to Recology's Blossom Valley Organics composting facility in Vernalis in San Joaquin County.

Recology uses machines and people to sort organics like the apple core from other materials. The organic matter is then built into piles where a computer system controls the temperature for about a month to help microorganisms break it down. It spends another 30 days decomposing before it's given a final sift and sold.

The finished product is then trucked to farmers where it is spread at the base of grape vines and other crops. The compost helps plants and cover crops grow and put down deeper roots, which sequester carbon deeper in the soil as the plants take in carbon dioxide.

The grapes are then harvested and made into wine.

But when an apple core is tossed into a trash bin, it is taken to a landfill. At first, the apple core undergoes aerobic (with oxygen) decomposition and generates only a small amount of methane.

Within a year, the oxygen is used up and anaerobic conditions create methane-producing bacteria. As the microscopic bacteria decompose the waste, they generate the planet-warming gas. The EPA estimates that methane from landfills is the third-largest source of human-generated methane emissions in the U.S.

Turning those apple cores into plant food instead of methane starts with a simple change, but represents a monumental shift in behavior.

"This is the biggest change to trash since we started recycling in the 1980s," said Rachel Wagoner, director of the Department of Resources Recycling and Recovery, or CalRecycle. Reducing organics in landfills by 75% would be the equivalent of taking 1.7 million gas-powered cars off the road for a year, she said.

It starts with more of those green bins.



Recology's compost facility in Vernalis covers 120 acres and takes in about 1,500 tons of compostable material daily from San Francisco and elsewhere. The benefits of increased composting are many, but the change won't come cheap.

The state Legislature earmarked more than 100 millions dollars during the last legislative session for the effort to ramp up composting, but it might not be enough given the scale of what is required.

CalRecycle received close to \$170 million from legislators for 2021 and 2022 to build more infrastructure for organic waste, improve composting opportunities and cut down on edible food waste. Of that, about \$60 million was set aside as technical assistance grants for cities to get their programs in order.

The \$60 million was only a fraction of the \$225 million the League of California Cities and other groups asked for in a letter to legislators earlier this year.

CalRecycle estimates that up to 100 new facilities will have to be built to handle the estimated 20 million tons of organic waste or more that would otherwise end up exhaling methane in landfills. The cost of doing that could run into the tens of billions of dollars over the coming years, by CalRecycle chief Wagoner's estimate, and SB 1383 didn't provide any funding sources when it was signed into law.

Much of the \$170 million will be used to build infrastructure. Wagoner said most of the state's 450 waste jurisdictions do not have residential compost collection, although more than 300 have commercial programs to reroute organic waste from businesses and restaurants.

"This infusion of dollars from the state will go a long way," League of California Cities Legislative Representative Derek Dolfie said of the grants. But it amounted to "a drop in the bucket," when it came to avoiding increases in trash pickup rates for Californians at a time when inflation is on the rise and the state's economy is still feeling the economic punch of the pandemic.

Then there's the cost of not implementing the composting edicts, with noncompliant cities staring at those \$10,000 daily fines.

Jan. 1 is the deadline for each of the state's jurisdictions to at least have a plan in place to begin diverting food waste from landfills. Many have applied for a waiver program created by a law, SB 619, passed during the last legislative session.

The law calls on CalRecycle to work with jurisdictions who don't have a plan to help them figure one out. Wagoner said the goal is to help cities comply, not to punish them.

Wagoner said she is optimistic the state can reach its 2025 aspirations, but "The bad news is that we are not even close to that goal." Instead, "We are actually something like a million tons over our baseline in 2014."

After the green bin material is transported to the Vernalis site in 25-ton trailers, it is processed by gargantuan machines with names like the Titan.

To understand what the sweeping changes could mean for cities, state legislators need only look out their windows. The City of Sacramento already has a commercial organic waste collection program in place, and most residents have green bins for curbside collection. But not every city resident will be able to toss food scraps into the compost until the middle of 2022, said John Febbo, the city's interim integrated waste general manager.

The logistics of ensuring everyone has a green bin is enough to give even seasoned waste professionals like Febbo a headache.

“We get so many emails,” of people asking for exemptions or saying they don’t have space for the cans, Febbo said. The city hasn’t had to build any infrastructure, but more compost bins and processing fees to create the earthy mixture in existing compost yards will see the city’s annual program costs go from \$2.8 million to almost \$7 million, Febbo said.

The City Council will have to approve a rate adjustment in January to cover those expenses, with monthly rates for customers eventually going up, in smaller increments, by more than \$11 per month over the next three years.

“Nobody likes to increase rates, whether it’s a climate change program or not,” Febbo said.

Even for cities that have been composting for decades, cutting down on waste is a challenge. San Francisco has had a composting program for 25 years and is far ahead of most of the state, but the city didn’t meet its own goal set years ago to create zero waste by 2020.

That hasn’t deterred the city from setting ambitious goals, though.

Mayor London Breed announced in December that the city plans to achieve net-zero emissions by 2040, including cutting down disposal to landfills by 50% below 2015 levels.

The city recovered just over half of residential and small business refuse through recycling and composting in fiscal year 2020-2021, illustrating the challenges of making progress on waste even with strong political will.

Even for cities that have been working for months on an ordinance to follow the rules, this is just the beginning.

“You can pass an ordinance but what this really represents is a significant behavioral change” for people and businesses, said Travis Wagner, sustainability coordinator for the city of Sonoma. He said hammering home the climate impacts of composting and significant public outreach are a big part of convincing people to put less organic waste in the black bins.

Wagner said the city started outreach in 2020 around composting, producing flyers and making videos about how and why to compost. “We’ve been focusing on the positive because ... this is not convenient for people,” he said.

Recology doesn’t have a number for how much it spends on outreach, but sends out mailers and newsletters along with buying advertising and promoting composting and other programs to businesses and community groups.

The ordinance crafted by the city of Sonoma to expand its collection of organic material from homes and restaurants means it won’t have to fear punishing fines, Wagner said, though costs will increase.

There was no increase last year for Sonoma’s 11,000 residents. But from July 2021 to June 2022 rate increases tied to implementing SB 1383 will be about 7.5%, or around \$2.89 per month for residential customers using a standard 64-gallon container, Wagner said in an email. That is on top of the current fee of \$41.50 per month residents currently pay, he said.



A Recology truck makes one of many drops of compost at Frank Ologaray's Blossom Vineyards in Vernalis.

The seismic shift to composting isn't just about keeping methane out of the air, it's also about keeping carbon — and water — in the ground.

Bob Shaffer has been farming and studying soil health for decades and worked at Recology on its composting program in the 1990s.

Shaffer said he and other farmers began to discover years ago that when they planted so-called “cover crops,” like mustard in conjunction with compost, the results were deep roots that acted as carbon sinks, pulling planet-warming gases out of the air and cramming them deep underground.

“Compost, when fed to cover crops, was causing them to go much deeper in the soil, causing a quantum buildup of carbon in the soil,” said Shaffer, who now farms coffee in Hawaii and acts as a soil consultant for vineyards and farms.

Compost from the Recology facility is broadcast around almond trees to fertilize them at Frank Ologaray's Blossom Vineyards in Vernalis.

The benefits mean making and using compost as part of the state's plan to cut emissions.

“This is sort of low-hanging fruit,” when it comes to reducing climate emissions, said Anaya Hall, a Ph.D. student in the Energy and Resources Group at UC Berkeley. “This is an easier sell to a lot of people than ‘You have to buy a new car or get solar panels on your roof.’”

Compost also has the advantage of helping soil hold more water than chemical fertilizer, Shaffer said, a particularly important attribute in a perennially parched state like California.

“The more carbon you have, the more water retention,” said Matthew Engelhart, owner of the San Francisco vegan restaurant Gracias Madre and the Be Love Farm near Vacaville, where he grows everything from asparagus to Zinfandel grapes. “It's like a tank of water but it's spread out in the field available to the plant.”

The biggest problem with the compost is that it's hard to get.

Despite huge operations like the one in Vernalis, there is still not enough compost to meet regional demand. “You need to start buying months in advance,” Shaffer said. So some farmers like Engelhart have been making their own for years, in addition to buying from Recology.



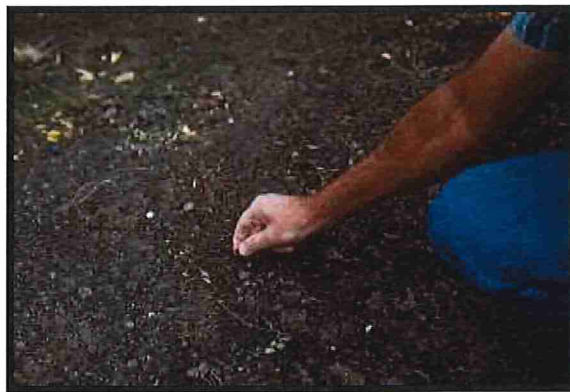
The soil at an olive orchard at Blossom Vineyards is covered with a layer of compost produced at Recology's Vernalis facility.

Chemical fertilizer is the other traditional option for crops, but it relies on large quantities of often-imported phosphate and other materials that have to be shipped from overseas. And with China halting much of those shipments for its own domestic use, there is more pressure to turn food scraps into the black gold of compost.

And scarcity means value.

Recology sells what it produces in Vernalis for between \$7 and \$15 per cubic yard, depending on volume. It goes for even more when the compost is mixed with mineral-rich amendments like gypsum and lime for special orders, according to Erin Levine of Recology.

With compost prices more on par with chemical fertilizer, Shaffer said it's easier to convince farmers to make the switch. "Here is my answer to farmers when they ask if compost is economical," he said. "Absolutely."



Frank Ologaray puts his hands in compost after it was spread around almond trees to fertilize them at Ologaray's Blossom Vineyards in Vernalis.

Back at Recology's Vernalis site, the sun has climbed higher in the sky and Recology Public Relations Manager Robert Reed has both hands cupped together full of finished compost waiting to be tested for contaminants and sold. He talks about how the nutrients in his hands will soon be sent to farms and vineyards to restart the food cycle.

Behind him, a bulldozer roves among rows of dark compost and bright white gypsum waiting to be mixed into the load for a customer. Nearby, compost pours off a machine at a clip of 50 tons per hour as it sorts out the final unwanted bits before the material is sold.

Compost processed at Recology's Vernalis site can also be mixed with mineral-rich amendments like gypsum and lime for special orders.

Of course, this compost is already spoken for, and more is needed. A 2019 CalRecycle estimate found that facilities statewide could handle more organic material, but that there still wasn't enough capacity to hit the 2025 goal set out in SB 1383.

It will take more than what this facility can produce to make a dent in emissions and meet the state's ambitious goals, according to Hall, the UC Berkeley researcher. "It can't be just big, industrial facilities," she said, noting many people object to a facility of this size with its pungent odors potentially wafting into their backyards. "We need to be encouraging community enterprises."

And while the state may not be able to halt climate change through green bins alone, it's a start.

"Just think about how much easier it is to take the banana peel and put it in an organic waste bin than it is to stop driving," said Wagoner, the CalRecycle chief. "This is the fastest and easiest thing we can do to affect climate change."



Rich compost that some farmers call "black gold" contrasts against light soil on Frank Ologaray's Blossom Vineyards in Vernalis.