



Central Contra Costa Solid Waste Authority

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## **BOARD OF DIRECTORS REGULAR MEETING**

### **AGENDA**

**APRIL 27, 2023 - 3:00 P.M.**

Walnut Creek City Hall, 3<sup>rd</sup> Floor Conference Room  
(Use elevator by City Council Chambers)  
1666 North Main Street, Walnut Creek

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

If you would like to address the Board, please complete a speaker's card and submit it to Janna McKay, Secretary of the Board. When addressing the Board, please state your name and 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 March 23, 2023\*
- b. Authorize positions on 2023 Recommended Legislation Bills\*
- c. Authorize Executive Director to execute a Provider Services Agreement with Abbe and Associates, LLC for schools education and waste reduction services\*

4. **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. Republic's Collection Service Quality Metrics\*
- d. Communications to the Authority\*

**5. BOARD COMMUNICATIONS AND ANNOUNCEMENTS**

**6. ADJOURNMENT**

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

<p style="text-align: center;"><b><u>ADDRESSING THE BOARD ON AN ITEM ON THE AGENDA</u></b></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;"><b><u>ADDRESSING THE BOARD ON AN ITEM NOT ON THE AGENDA</u></b></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 RecycleSmart Board Secretary 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;"><b><u>AMERICANS WITH DISABILITIES ACT</u></b></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 dba RecycleSmart 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 RecycleSmart Board Secretary 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 MARCH 23, 2023**

The Regular Board Meeting of the Central Contra Costa Solid Waste Authority's (CCCSWA's) Board of Directors convened at Walnut Creek City Hall, 3<sup>rd</sup> Floor Conference Room, 1666 North Main Street, Walnut Creek, Contra Costa County, State of California, on March 23, 2023. Chair Renata Sos called the meeting to order at approximately 3:05 P.M.

PRESENT: Board Members: Candace Andersen  
Newell Arnerich\*  
Ken Carlson  
Gina Dawson\*  
Matt Francois  
Teresa Gerringier  
Inga Miller, Vice Chair  
Janet Riley  
Renata Sos, Chair  
\*Arrived after Roll Call

ABSENT: Board Members: Kerry Hills  
Renee Morgan  
Cindy Silva

**Staff members present:** David Krueger, Executive Director; Janna McKay, Executive Assistant/Secretary to the Board; Grace Comas, Senior Accountant; Judith Silver, Senior Program Manager; Ashley Louisiana, Senior Program Manager; Jennifer Faught, Contract Compliance Specialist; and Deborah L. Miller, CCCSWA Counsel.

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

Janna McKay led the Pledge of Allegiance.

**2. PUBLIC COMMENT ON ITEMS NOT ON THIS AGENDA**

DAVID RODRIGUEZ, Business Representative for Teamsters Local 315, representing the employee staff at the Allied Waste Yard in Pacheco for garbage, recycling and mechanics, as well as Mt. Diablo Recycling (MDR). He referred to the extension provided to Republic Services and referenced language related to equipment. He stated equipment had been the biggest issue in the last couple of years, referred to the frequent late residential pickups, and requested that CCCSWA hold Republic accountable for supplying the proper equipment, proper staffing and proper training.

**3. CONSENT ITEMS**

- a. Approve Minutes of the Special Board Meeting on February 23, 2023
- b. Approve City of Orinda Withdrawal Request Payment of \$460,084.37 in Accordance with the Use of Authority Funds Allocated to Member Agencies Policy

With respect to Item a, the Minutes of the Special Board Meeting on February 23, 2023, Executive Director Krueger corrected the heading of the minutes to reflect that the meeting was a special meeting and not a regular meeting, as shown.

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

MOTION by Board Member Riley to approve Consent Items a and b, with the amendment to Item a. SECOND by Board Member Francois.

MOTION PASSED unanimously by a voice vote.

**4. ACTION ITEMS**

- a. Clarification of CCCSWA Employee Benefits  
Approve updated employee benefits schedule which aligns the employee benefits schedule with the administration of benefits for Special Paid Time Off (Floating Holidays) and the effective date of coverage for vision and dental insurance.

Executive Director Krueger noted it had recently come to staff's attention that the written schedule of benefits had not aligned with the practice over the years. In the process of evaluating that situation some discrepancies had been discovered. The first was that new employees were to wait three months before being eligible for vision and dental benefits, although the benefits provider since 2012 had been charging the agency the first day of the month after hire. As such, he recommended that the benefits sheet be amended to start the first day of the month after hire.

The second item was that on the schedule each employee was to receive three days (24 hours) of Special Paid Time Off, which Mr. Krueger suggested be renamed Floating Holidays. Having checked the records, he reported that provision had not been provided to employees, and he clarified that those three days were in addition to administrative leave and general time off. He recommended that all employees get three days, as shown on the schedule, to start January 1, 2023 moving forward with no retroactive action and that the days would not carry over.

Mr. Krueger advised that the recommendations had been taken to the Personnel Committee, which had approved both recommendations.

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

MOTION by Board Member Francois to approve updated employee benefits schedule which aligns the employee benefits schedule with the administration of benefits for Special Paid Time Off (Floating Holidays) and the effective date of coverage for vision and dental insurance.

SECOND by Board Member Carlson.

MOTION PASSED unanimously by a voice vote.

- b. Chair and Vice Chair Appointments  
Elect CCCSWA Board Chair and Vice Chair for 2023-2024.

MOTION by Chair Sos to elect Vice Chair *Inga Miller* as CCCSWA Chair and Board Member *Teresa Gerringer* as CCCSWA Vice Chair for 2023-2024. SECOND by Board Member Carlson.

MOTION PASSED unanimously by a voice vote.

- c. Resolution Recognizing Renata Sos as Chair for the CCCSWA Board of Directors  
Adopt Resolution No. 2023-04, Recognizing Renata Sos for her leadership during her term as Chair of the CCCSWA Board of Directors.

Chair Miller commended former Chair Sos for her leadership during an unprecedented year with internal and external transitions that included the massive changes associated with SB 1383 and with respect to the work related to the Franchise Agreement for the CCCSWA.

On behalf of the staff, Executive Director Krueger expressed his appreciation to former Chair Sos for her leadership and meeting management skills, and for her ability to make everyone feel seen. He added that everyone saw her and appreciated her.

Each member in turn commended former Chair Sos for her organizational skills; keen ability to hone in on what was needed; starting meetings on time; leading with humor, empathy and gentleness; and for being thoughtful and inclusive with good judgment. Board Members thanked former Chair Sos for her service and presented her with a plaque and with Resolution No. 2023-04.

Former Chair Sos stated it had been a privilege to serve as Chair for the last year and to be able to continue to serve on the Board of a first rate organization that was doing amazing things for the environment, ratepayers and member agencies. She also had the privilege of working with the Best of Class staff in the business and to see why the CCCSWA was a leader in the industry. She thanked everyone for the recognition.

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

MOTION by Board Member Andersen to adopt Resolution No. 2023-04, Recognizing Renata Sos for her leadership during her term as Chair of the CCCSWA Board of Directors. SECOND by Board Member Dawson.

MOTION PASSED unanimously by a voice vote.

- d. Establishment of an Ad Hoc Committee(s) Regarding Franchise Agreement Procurement Strategy  
Approve appointments of Franchise Procurement Ad Hoc Committee assignments.

Chair Miller advised that the item continued the former Chair's process to implement as much Board Member feedback as possible within the ad hoc committees to see how to best organize multiple committees to allow the most input from all Board Members given the wealth of knowledge and insight on the Board.

Executive Director Krueger explained that the establishment of ad hoc committee(s) had been discussed at the retreat. Given that the Franchise Agreements with Republic and MDR would expire on February 28, 2027, it was not too early to think about what would need to occur at that time. He stated that ad hoc committees had been used in the past with respect to Franchise Agreements and would help in the upcoming process.

The recommendation was for two sequential ad hoc committees with the first committee to be the Franchise Design Committee to update the Franchise Agreements. Whether a Request for Proposal (RFP) or a sole source, there would be some kind of procurement document to be attached to the Draft Franchise Agreement about the services. That committee would also be responsible for overseeing the development of the procurement document and recommend to the full Board of Directors which process would be used and the suggested timeline. At the point at which the Draft Franchise Agreement and procurement document would be given to potential vendors for review, the work of Franchise Design Committee would be done. That first committee would start in April 2023, take six to nine months to do its work, and would end in October 2023 or January 2024.

The second ad hoc committee would begin after potential vendors had returned with a proposal. That committee would select a vendor(s), look at staff's evaluation of proposals, and recommend to the full Board of Directors the final selection(s) and terms of agreements. That committee would start approximately in January or March of 2024 and take nine months, ending in October 2024 or January 2025, leaving enough time for whoever was selected to order trucks.

Chair Miller recommended Board Members Andersen, Dawson, Riley, Silva and Sos to serve as the Franchise Design Committee.

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

MOTION by Board Member Arnerich to establish a Franchise Design Ad Hoc Committee regarding Franchise Agreement procurement strategy, and assign Board Members Andersen, Dawson, Riley, Silva and Sos to the Franchise Design Ad Hoc Committee. SECOND by Board Member Francois.

MOTION PASSED unanimously by a voice vote.

**5. INFORMATION ITEMS**

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

a. Executive Directors Monthly Report

Executive Director Krueger stated that Republic Services had developed a new look up tool for reuse and clean-up days, which could be found under “clean-ups” on the RecycleSmart website.

Mr. Krueger also highlighted the informational report on the collection service quality metrics and stated that with the new contract amendment with Republic there were carrots and sticks built in for service improvements where there were rebates to customers if materials were not picked up by the day after the scheduled pick-up day (the stick), while (the carrot) there was a \$1.9 million special rate adjustment in addition to the regular index adjustment that would happen in March 2024 contingent upon Republic meeting some service quality metrics. Those metrics were being monitored and progress would be reported to the Board of Directors each month. The most important metric was the number of service complaints about residential pickups, and the average for 2023 was to be no more than 1,500 of those calls per month. There had been one month of data in January with 1,563 complaints/calls while the February data was 935 complaints/calls, an average 1,200 right now meeting the standard. In addition to the call data, a daily report on open routes was provided each day and Republic had been volunteering information about the causes of those delays. The data had been analyzed and spot checks would be done for the reports.

Mr. Krueger reported the contract with the East Bay Municipal Utility District (EBMUD), which took commercial food waste and turned it into energy, would expire on February 28, 2025 and potential extensions were being discussed with EBMUD. Three potential options were under consideration; as a short-term contract with EBMUD to expire at the same time as the other two contracts, or if the price was good lock that price in with a long-term contract, or if a good price could not be reached look at mixing commercial with some residential and commercial organics to be composted. Staff would research comparable pricing that other cities were getting for similar services.

Board Member Andersen asked if there was any benefit under state law to do anaerobic digestion and Mr. Krueger suggested it might be cheaper to keep doing anaerobic digestion and that information would be provided. He added there would be a slight benefit on the procurement side where you get more credits for energy.

Board Member Andersen wanted to see the anaerobic digestion continue.

Asked about the impact on the environment, Mr. Krueger suggested the benefit was debatable. He commented that part of the impact would be the distance to the facility and discussions with Republic would also determine whether there might be a benefit to go back to Richmond for some or all of the residential organics. The overall impact of each would be identified.

Mr. Krueger reported that Sustainable Contra Costa was running a six-week Lamorinda Zero Waste Challenge to see which city was greener, with a March 28 kickoff at the Lafayette Library; there would be a Bike Fix It Clinic at the Lafayette Earth Day Event on April 23; a Clothing Swap/Repair Clinic at the Moraga Community Faire on April 29, both events related to the challenge; an in-person Composting Workshop on April 1 (register on the RecycleSmart website); Compost Giveaways for Danville, Walnut Creek, Alamo, and Diablo at Creekside Community Church in Alamo on April 22 (with live registration); and the Lamorinda Compost Giveaway events at Our Savior’s Lutheran Church in Lafayette on May 26, 2023.

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

- b. Future Agenda Items
- c. Update on Republic’s Collection Service Quality Metrics

**6. BOARD COMMUNICATIONS AND ANNOUNCEMENTS**

There were no reports.

**7. ADJOURNMENT**

The Board adjourned at 3:40 P.M. to the regular meeting scheduled for Thursday, April 27, 2023 at 3:00 P.M. in the Walnut Creek Offices.

Respectfully submitted by:

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





# Agenda Report

**TO:** CCCSWA BOARD OF DIRECTORS  
**FROM:** LEGISLATIVE COMMITTEE AND RECYCLES MART STAFF  
**DATE:** APRIL 27, 2023  
**SUBJECT:** 2023 LEGISLATION RECOMMENDATIONS

**SUMMARY**

The Legislative Committee met on March 14 and April 17 to discuss bills related to waste reduction and recycling. After discussion, the Committee decided which bills to support and which bills to watch, and directed Staff to bring these positions to the Board for approval. As the year goes on and bills mature, the Committee may meet again to discuss relevant legislation.

**RECOMMENDED ACTION**

1. Authorize positions on 2023 bills as recommended by the Legislative Committee, and Authorize the Executive Director to send support letters as appropriate.

**DISCUSSION**

On March 14 and April 17, the Legislative Committee discussed a number of bills that are currently before the California State Legislature related to waste reduction and recycling. The Committee recommends that the Board support or support in concept ten bills and watch four bills. As bills develop during the year, any newly relevant bills may be brought to the Committee for discussion and direction.

**2023 Waste Reduction and Recycling Bills**

<b>1.</b>	<p><b>AB 2 (Ward) – Recycling: Solar photovoltaic (PV) modules</b></p> <p><i>Committee Recommendation: Support in Concept</i></p> <p>This bill would require a manufacturer of solar PV panels sold or offered for sale in California to develop a plan for the safe, convenient, and environmentally sound end-of-life management of the panels it manufactured and their component materials. The author is still working with stakeholders to define “manufacturer” and to identify what the elements of the plan should be.</p> <p><b>Policy Platform:</b> Waste Diversion, Toxics Reduction/HHW, Extended Producer Responsibility          – League of California Cities position: Support in Concept</p>
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<p>2.</p>	<p><b>AB 592 (Wilson) – Vehicles: waste hauling</b></p> <p><i>Committee Recommendation: Support</i></p> <p>This bill would authorize Contra Costa County and any other county to create a pilot program to regulate nonfranchise waste hauling within the county. While cities and counties already have the authority to regulate solid waste handling and can create exclusive and nonexclusive franchise collection programs as desired, the County is interested in piloting a program that could bring nonfranchise hauler permitting, and associated enforcement powers, to the state level as a way to curb illegal hauling and dumping.</p> <p><b>Policy Platform:</b> Waste Diversion</p> <ul style="list-style-type: none"> <li>– Contra Costa County position: Support</li> </ul>
<p>3.</p>	<p><b>AB 660 (Irwin) – Food labeling: quality dates, safety dates, and sell by dates</b></p> <p><i>Committee Recommendation: Support</i></p> <p>AB 660 builds on a 2017 law that established voluntary labeling standards, by requiring expiration date labels by January 1, 2025 to use the phrases “BEST if used by” to indicate peak freshness and “USE by” to indicate food safety. The bill prohibits the use of consumer visible “Sell-By” dates. Uniform and clearer food labeling requirements should result in less food being discarded by reducing confusion about whether food is edible.</p> <p><b>Policy Platform:</b> Waste Diversion, Food Waste Reduction and Recovery</p> <ul style="list-style-type: none"> <li>– California Product Stewardship Council position: Support</li> <li>– Californians Against Waste and Natural Resources Defense Council: Sponsors</li> </ul>
<p>4.</p>	<p><b>AB 1357 (Ting) – Solid Waste: paper waste, proofs of purchase</b></p> <p><i>Committee Recommendation: Support</i></p> <p>The bill would require businesses to provide proofs of purchase to consumers only at the consumer’s option. It also would prohibit the use of BPA and BPS in receipts.</p> <p><b>Policy Platform:</b> Waste Diversion; Toxics Reduction/HHW</p> <ul style="list-style-type: none"> <li>– League of California Cities position: Watch</li> <li>– Californians Against Waste position: Support</li> </ul>
<p>5.</p>	<p><b>AB 1489 (Wood) – Solid waste: plastic food serviceware</b></p> <p><i>Committee Recommendation: Watch</i></p> <p>This bill would define “compostable polymers” as products that are eligible to be labeled with the terms “compostable” or “home compostable.” The bill would exempt compostable polymers from the 25% source reduction requirements of SB 54.</p>

	<p><b>Policy Platform:</b> Waste Diversion; Packaging Reduction/Plastic Pollution</p> <ul style="list-style-type: none"> <li>– League of California Cities position: Watch</li> </ul>
<p>6.</p>	<p><b>SB 244 (Eggman) – Right to Repair Act</b></p> <p><i>Committee Recommendation: Support</i></p> <p>This bill would require manufacturers of electronics to provide access to replacement parts and service materials for electronics and appliances to independent service dealers regulated by the Department of Consumer Affairs and to individual owners. The goal is to create a more competitive repair marketplace with more affordable repairs and less incentive to buy new, and thus reduce both consumer costs and the rate of replacement of these items.</p> <p><b>Policy Platform:</b> Waste Diversion</p> <ul style="list-style-type: none"> <li>– Co-sponsored by Californians Against Waste, CalPIRG and iFixIt</li> <li>– California Product Stewardship Council position: Support</li> </ul>
<p>7.</p>	<p><b>SB 271 (Dodd) – Powered wheelchairs: right to repair</b></p> <p><i>Committee Recommendation: Support</i></p> <p>SB 271 would create the Consumer Wheelchair Right to Repair, establishing a framework for consumers and independent repair providers to access parts, tools, and documentation for the repair and maintenance of their powered wheelchairs.</p> <p><b>Policy Platform:</b> Waste Diversion</p>
<p>8.</p>	<p><b>SB 353 (Dodd) – Beverage containers: recycling</b></p> <p><i>Committee Recommendation: Support</i></p> <p>Existing law (the California Beverage Container Recycling and Litter Reduction Act) defines “beverage” to include certain types of products in liquid, ready-to-drink form, including carbonated fruit drinks and noncarbonated fruit drinks that contain any percentage of fruit juice, but excluding 100% fruit juice in 46-ounce containers or larger. This bill would expand the application of the act to any size container of 100% fruit juice. It would also make a change to the way recycling centers are compensated that could result in more responsive payments that make operating a recycling center more sustainable.</p> <p><b>Policy Platform:</b> Waste Diversion; Packaging Reduction/Plastic Pollution; Market and Economic Development</p> <ul style="list-style-type: none"> <li>– League of California Cities position: Likely will support</li> <li>– California Product Stewardship Council position: Support</li> <li>– Californians Against Waste position: Support</li> </ul>

<p>9.</p>	<p><b>SB 560 (Laird) – Solid waste: extended producer responsibility</b></p> <p><i>Committee Recommendation: Support in Concept</i></p> <p>SB 560 would require each producer or producer stewardship organization to submit a gas cylinder stewardship plan to CalRecycle that details, among other things, convenient and accessible opportunities for the recovery of gas cylinders used by consumers. These include propane gas cylinders under 20 pounds, helium cylinders, isobutane cylinders, and butane cylinders. Pressurized gas cylinders have caused fires and explosions in collection vehicles and at solid waste and recycling facilities.</p> <p><b>Policy Platform:</b> Extended Producer Responsibility; Toxics Reduction/HHW</p> <ul style="list-style-type: none"> <li>– League of California Cities position: Support in Concept</li> <li>– California Product Stewardship Council position: Lead</li> </ul>
<p>10.</p>	<p><b>SB 568 (Newman) – Electronic waste: export</b></p> <p><i>Committee Recommendation: Watch</i></p> <p>This bill would add to the requirements for export of covered electronic waste or a covered electronic device a demonstration that capacity does not exist in California to otherwise safely and responsibly recycle the waste or device. The intent of this bill is to restore public confidence that electronics set out for recycling will be properly handled and recycled, but the full effect of the bill is not clear at this point.</p> <p><b>Policy Platform:</b> Toxics Reduction/Household Hazardous Waste</p> <ul style="list-style-type: none"> <li>– League of California Cities position: Watch</li> </ul>
<p>11.</p>	<p><b>SB 615 (Allen) – Electric vehicle traction batteries</b></p> <p><i>Committee Recommendation: Support in Concept</i></p> <p>This bill would require all electric vehicle traction batteries, as defined, sold with motor vehicles in the state to be recovered and reused, repurposed, remanufactured, or recycled at the end of their useful life in a motor vehicle or any other application. The bill would also require a vehicle manufacturer, dealer, automobile dismantler, automotive repair dealer, and nonvehicle secondary user to be responsible for ensuring the responsible end-of-life management of an electric vehicle traction battery once it is removed from a vehicle or other application to which the electric vehicle traction battery has been used.</p> <p><b>Policy Platform:</b> Extended Producer Responsibility; Waste Diversion; Toxics Reduction/Household Hazardous Waste</p> <ul style="list-style-type: none"> <li>– League of California Cities position: Support in Concept</li> <li>– Californians Against Waste position: Support</li> </ul>

<p>12.</p>	<p><b>SB 707 (Newman) –Responsible Textile Recovery Act of 2023</b></p> <p><i>Committee Recommendation: Support</i></p> <p>SB 707 would enact the Responsible Textile Recovery Act of 2023, which would require producers, as defined, either individually or through the creation of one or more stewardship organizations, to establish a stewardship program for the collection and recycling of covered textiles, as defined. The bill would require a program operator to develop, and to submit to CalRecycle for review and approval, a stewardship plan and would prescribe the standards and elements required to be contained in a stewardship plan for covered textiles. The bill would require CalRecycle to adopt regulations to implement the act with an effective date of no earlier than April 1, 2026.</p> <p><b>Policy Platform:</b> Extended Producer Responsibility; Waste Diversion</p> <ul style="list-style-type: none"> <li>– League of California Cities position: Will be supporting</li> <li>– California Product Stewardship Council position: Support, Sponsor</li> <li>– Californians Against Waste position: Support</li> </ul>
<p>13.</p>	<p><b>SB 303 (Allen) – Solid waste: Plastic Pollution Prevention and Packaging Producer Responsibility Act.</b></p> <p><i>Committee Recommendation: Watch</i></p> <p>This bill would make amendments to SB 54 that would specifically allow CalRecycle to adopt regulations to establish standards for Producer Responsibility Organizations (PROs) regarding responsible end markets for covered material. It would also provide a pathway to resolve concerns of affected entities should PRO decisions disrupt solid waste programs or recycling or composting facilities.</p> <p><b>Policy Platform:</b> Waste Diversion</p>
<p>14.</p>	<p><b>AB 1526 (Assembly Committee on Natural Resources)</b></p> <p><i>Committee Recommendation: Watch</i></p> <p><b>Public Resources.</b> This bill would make a number of changes to the Public Resources Code including amendments to SB 54.</p> <p><b>Policy Platform:</b> Waste Diversion; Packaging Reduction/Plastic Pollution</p>



# Agenda Report

**TO:** CCCSWA BOARD OF DIRECTORS

**FROM:** JENNIFER FAUGHT, CONTRACT COMPLIANCE SPECIALIST

**DATE:** APRIL 27, 2023

**SUBJECT:** PROVIDER SERVICES AGREEMENT FOR SCHOOLS EDUCATION AND WASTE REDUCTION PROGRAM

## SUMMARY

RecycleSmart Staff is proposing to contract with Abbe and Associates, LLC to conduct outreach and technical assistance to schools with the objective of increasing recycling, diversion and organics program participation. Staff's selection of Abbe and Associates resulted from a competitive RFP process. The company demonstrated expert knowledge in the area of outreach to schools and the ability to increase diversion rates. Additionally, theirs was the only response received to the RFP.

The proposed three-year contract is for an annual not-to-exceed amount of \$120,000. This is the same annual cost as the current contract.

## RECOMMENDED ACTION

1. Authorize Executive Director to execute a Provider Services Agreement with Abbe and Associates, LLC for schools education and waste reduction services, for an annual not-to-exceed amount of \$120,000.

## DISCUSSION

RecycleSmart's schools recycling program is an award-winning program that focuses on serving students, teachers, custodians, administrators, school districts and parents in our schools. There has been continuous improvement in all aspects of the program through a variety of outreach techniques, including direct technical assistance, schools' 4R's curriculum, student assemblies, and scholarships, among others. An important component of the program is assisting schools in complying with state regulations, AB 341, AB 1826, and SB 1383, that require recycling of both standard recyclables and organics at schools. **As of school year 2021-22, the schools recycling program has garnered an overall 65% diversion rate.** Schools and school districts need specialized assistance when it comes to maximizing their diversion potential. RecycleSmart School contractors are able to provide services that help schools increase recycling capacity and participate in programs such as composting and food waste recycling.

Abbe and Associates, LLC has been RecycleSmart's school education waste reduction contractor for the past 11 years with a very successful record. They were the only firm to submit a proposal on the RFP released in February 2023. Staff analyzed their proposal and after review, Staff recommends Abbe and Associates, LLC.







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# Agenda Report

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**TO:** CCCSWA BOARD OF DIRECTORS  
**FROM:** DAVID KRUEGER, EXECUTIVE DIRECTOR  
**DATE:** APRIL 27, 2023  
**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 monthly reporting by our service providers. Staff actively engages with Member Agency Staff, 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

### Completed and Ongoing Activities in April 2023:

- Staff meets with Republic Services bi-weekly and works collaboratively with Republic's management team, recycling coordinators and finance staff to discuss franchise requirements, customer feedback and service issues, member agency requests, rates, ongoing commercial site visits and outreach. The April meetings were focused on efforts to reduce missed/late pick-ups, Republic Services staff training on customer credits, Rossmoor service issues, C&D processing, implementation of push/pull rates and related customer complaints, the Reuse & Cleanup Days Program, outreach and the franchise extension requirements.
- The monthly Member Agency liaison meeting was held on April 13, including the Agency's CalRecycle Local Assistance and Market Development staff person. Each year, CalRecycle meets with all jurisdictions and performs follow-up site visits. During this meeting, staff reported on a variety of SB 1383 requirements including waivers, the number of accounts with organics service, the route contamination monitoring program, outreach and education, edible food recovery program requirements and monitoring, enforcement, and procurement. RecycleSmart provides follow-up meeting notes and requests them to be circulated to appropriate Member Agency staff.

RecycleSmart is scheduling the follow-up site visits with CalRecycle. Below is the list of member agency liaisons:

<b>Member Agency Liaisons</b>				
<b>Member Agency</b>	<b>Name</b>	<b>Title</b>	<b>Email</b>	<b>Phone</b>
County	David Brockbank	Conservation Programs Manager	<a href="mailto:David.Brockbank@dcd.cccounty.us">David.Brockbank@dcd.cccounty.us</a>	(925) 655-2911
Danville	Cat Bravo	Management Analyst	<a href="mailto:cbravo@danville.ca.gov">cbravo@danville.ca.gov</a>	(925) 314-3377
Lafayette	Anna Tolle	Planning Technician	<a href="mailto:ATolle@ci.lafayette.ca.us">ATolle@ci.lafayette.ca.us</a>	(925) 299-3205
Orinda	Doug Alessio	Administrative Services Director	<a href="mailto:DAlessio@cityoforinda.org">DAlessio@cityoforinda.org</a>	(925) 253-4224
Moraga	Brian Horn	Senior Planner	<a href="mailto:bhorn@moraga.ca.us">bhorn@moraga.ca.us</a>	(925) 888-7044
Walnut Creek	Emlyn Struthers	Administrative Analyst II	<a href="mailto:struthers@walnut-creek.org">struthers@walnut-creek.org</a>	(925) 256-3536

- Staff meets with the Schools program contractor monthly; discussion topics included the implementation of reusables in schools, the end of year newsletter, end of year reuse opportunities, tracking document usage, and May and July meeting planning.
- RecycleSmart entered into a Provider Services Agreement with Hello Lamp Post for an outreach and education project for a not-to-exceed cost of \$13,575. Hello Lamp Post provides software that will allow a user to text and receive information in real-time. RecycleSmart is piloting the program with residents, businesses, and schools, and providing information about proper sorting.
- RecycleSmart hosted a Vermicomposting (Worms) & Bin Building workshop on April 1<sup>st</sup> at the Moraga Library. There were 25 residents, including families and children, in attendance. Each household builds their bin, receives composting worms, and is able to bring their bin home and start composting right away. Worm composting is a compact, easy composting method, great for large and small spaces. Kids love the worms!
- RecycleSmart, in partnership with Republic Services, has hosted or will host the annual compost giveaway events on April 22 for Walnut Creek/Danville/County residents, and on May 6 for Lamorinda residents. Residents can register for free at [www.recyclesmart.org/ICAW](http://www.recyclesmart.org/ICAW). These events bring awareness to International Compost Awareness Week (ICAW), one of the largest education initiatives for the compost industry. To learn more about ICAW visit [www.compostfoundation.org/ICAW/ICAW-Home](http://www.compostfoundation.org/ICAW/ICAW-Home).
- RecycleSmart provides the medical sharps disposal program through the franchise agreement with Republic Services to reduce environmental and human health impacts from exposure to hazardous materials. The program is intended for residents, not commercial entities, and program information can be found at [www.recyclesmart.org/HHW](http://www.recyclesmart.org/HHW). With assistance from Republic Services, RecycleSmart submitted a reimbursement application to a CalRecycle approved medical sharps stewardship plan operator, MED-Project, for reimbursement of collection costs since the allowed date of September 2022. Staff will provide the Board with additional program information and reimbursement status when available.

- RecycleSmart, in partnership with Mt. Diablo Resource Recovery (MDRR) and Republic Services, is piloting the first multifamily tenant Reuse & Cleanup service on Ascot Drive in Moraga. This location was selected for a pilot because there are a substantial amount of off-campus Saint Mary's College (SMC) student rentals, creating some illegal dumping during end-of-year move-out. RecycleSmart is also piloting a Reuse & Cleanup week on the SMC campus May 15-19, during the same period as the Ascot Drive Pilot. RecycleSmart is working with SMC staff and the Town's Public Works staff to coordinate. Both MDRR and Republic Services are donating their services during the Pilot. The pilot will help all parties better understand the logistics and challenges of multifamily reuse and cleanup service and better understand the costs. Outcomes from the pilot will inform future program planning with the goal of closing the gap between single-family home and multifamily property service offerings.
- Staff is updating the 2023 multifamily services guide with Republic Services.
- The Executive Director signed a 5-year lease agreement with Shamrock Office Solutions for a new office copy machine. Janna McKay negotiated a lease that is saving the agency \$382 per month due in part to staff reducing the printing of paper in the office.
- With input from staff, Republic Services continues to develop outreach tools and educational training videos. Staff is currently finalizing the script for the Office/Retail outreach video.
- Staff is partnering with the Lafayette Chamber of Commerce to help reduce waste at the annual Taste of Lafayette event on May 16. Waste reduction methods will include a reusable spork to eliminate the need for single-use disposable utensils, aluminum beverage cups to eliminate plastic cups, and working with participating restaurants to provide outreach and education on acceptable foodware that can be composted or recycled. In addition, staff is helping the Chamber develop event signage.
- Staff is working with Republic Services to develop community event waste management education materials for Member Agency use; these resources will also be placed on the RecycleSmart website.
- Staff is obtaining cost estimates to develop a new RecycleSmart/Republic Services outreach and education community event booth to reduce the use of paper materials and brochures, and create a fun, engaging, educational family-orientated booth.
- RecycleSmart, in partnership with Republic Services, will staff an outreach and education booth at the following community events in April:
  - Walnut Creek Earth Day, April 22
  - Lafayette Earth Day, April 23
  - Danville EarthFest, April 23
  - Moraga Community Faire & Car Show, April 29
- Sustainable Contra Costa is running a 6-week Lamorinda Zero Waste Challenge public engagement campaign to encourage residents to take Zero Waste Actions and earn points for their

City or Town. As part of the event, and with assistance from Republic Services, Sustainable Contra Costa has coordinated or will coordinate, the following three events:

1. March 28th: Zero Waste Challenge kickoff event at the Lafayette Library (key topics: waste reduction and home electrification). RecycleSmart staff attended this event to help answer community questions about proper sorting.
2. April 23rd: Bike Fixit Clinic at Lafayette Earth Day
3. April 29th: Clothing Repair Clinic at the Moraga Community Faire

The clinics are being piloted as an alternative to the citywide garage sales, coordinated by Republic Services, that used to take place in the RecycleSmart service area.

**SB 1383 Completed and Ongoing Activities in April 2023:**

- Staff is continuing to review commercial and multifamily accounts that may be eligible for an organics service waiver. Staff is reviewing Republic Services Recycling Coordinators' recommendations and conducting site visits to certain locations as necessary. Accounts not eligible for a waiver will receive organics service. RecycleSmart must report annually to CalRecycle the number and type (de minimis or physical space) of waivers granted.
- Staff is issuing letters 35 multifamily accounts that are not eligible for waivers and are resisting organics service. Many of these accounts are multifamily properties that were exempt from food scraps collection under AB 1826 (Mandatory Commercial Organics Recycling), prior to SB 1383 implementation.
- As follow-up to “Tier 1” Commercial Edible Food Generator inspections by Contra Costa Health Services, Staff is mailing each generator a compliance status notification letter, including the CCHS report as an attachment, and providing additional food donation outreach and education. Tier 1 generators include grocery stores, supermarkets, wholesale vendors, and distributors.
- After completing the 2022 route contamination monitoring project, additional funds were available in the SCS Engineers contract. Staff entered into a contract amendment with SCS Engineers to extend the contract term, which will allow SCS to perform 18 of the 69 route reviews required in 2023. These audits will be performed in May.

**Staff participated in or attended the following meetings/events in April 2023:**

- Contra Costa Countywide SB 1383 Working Group meeting, April 3
- Sustainable Contra Costa Lamorinda Zero Waste Challenge bi-weekly meeting, April 4
- California Resource Recovery Association (CRRA) Organics Collection from Indoor Settings webinar, April 6
- Orinda Community Liaison Meeting, April 11
- Bay Area Recycling Outreach Coalition (BayROC) meeting, April 11
- Lafayette Environmental Task Force meeting, April 13
- Northern California Recycling Association (NCRA) Zero Food Waste Committee meeting, April 14

- California Organics Recycling Council meeting, April 14
- Bay Area Edible Food Recovery Network meeting, April 18
- SB 1383 Chat with CalRecycle meeting, April 19
- California Product Stewardship Council (CPSC) Policy and Education meeting, April 19
- Alameda County Recycling Markets quarterly meeting, April 20
- US Conference of Mayors Municipal Waste Management Association Executive Committee meeting, April 20
- Moraga Liaison Meeting, April 21
- Lafayette Chamber event, April 21
- Zero Waste Now Regional Local Government Round Table, April 25
- Monthly meeting with White Pony Express, April 25





## Future Agenda Items

TYPE BOARD MEETING: 5/25/2023	
C	Approve 04/27/2023 Minutes
A	2024 Operations and Reuse Budgets
A	Schools Program Request for Proposal
I	Executive Director's Monthly Report
I	Republic's Collection Service Quality Metrics
P	2022-23 Schools Program Scholarships

TYPE BOARD MEETING: 06/22/2023	
C	Approve 05/25/2023 Minutes
A	RecycleSmart Newsletter Request for Proposal
I	Executive Director's Monthly Report
I	Republic's Collection Service Quality Metrics
P	2022-23 Annual Schools Program Report

**TYPE**

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







Central Contra Costa Solid Waste Authority

# Agenda Report

**TO:** CCCSWA BOARD OF DIRECTORS  
**FROM:** DAVID KRUEGER, EXECUTIVE DIRECTOR  
 JENNIFER FAUGHT, CONTRACT COMPLIANCE SPECIALIST  
**DATE:** APRIL 27, 2023

**SUBJECT: REPUBLIC’S COLLECTION SERVICE QUALITY METRICS**

## SUMMARY

This report tracks Republic Services progress in meeting the service quality metrics and other new requirements of the Second Amendment to their franchise agreement.

## RECOMMENDED ACTION

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

## DISCUSSION

As reported last month, the Second Amendment to the franchise agreement with Republic Services (“Second Amendment”) requires Republic to meet a “service quality metric” as a condition of receiving the Rate Year 10 special rate adjustment of \$1,915,511. To satisfy this requirement, Republic must have experienced a monthly average of 1,750 or fewer service calls between January 1 and July 31, and a monthly average of 1,500 or fewer service calls between January 1 and December 31, this year.

Staff is monitoring this metric, as well as the open routes and calls to the Authority, and will provide an informational report at each Board Meeting in 2023 documenting performance. Staff will also be evaluating whether these metrics accurately reflect our ratepayers’ experience, and whether they adequately incentivize service improvements. As of the date this staff report was completed, the metrics are as follows:

Metric	January – February 2023 Results	Limits
Average Service Calls Per Month (to Republic)	January = 1,563 February = 935 March = 1,368	1,750 for January – July 1,500 for January – December
Missed Collection Calls Received by RecycleSmart and Member Agencies	January = 17 February = 51 March = 34	19 per month

In addition to the service metrics above, the amendment contains the following new requirements:

<b>Requirement</b>	<b>Due Date</b>	<b>Status</b>
Allow staff access to Recyclist software	1/1/2023	Complete
Provide daily open route reports	3/1/2023	Started 2/1/2023
Provide customer credits for missed collections	3/1/2023	Started 3/1/2023
Hire 1 additional Recycling Coordinator	3/1/2023	Complete
Begin transferring all C&D to Newby Island for processing	3/1/2023	Complete
Equip all residential trucks with the RISE route management software system	12/31/2023	Will be implementing later this year
Hire 1 additional route supervisor	3/1/2024	Will be hired later this year
Hire 1 additional operations manager	3/1/2024	Complete
Hire 1 additional customer care manager	3/1/2024	In hiring process
Hire 1 additional dispatcher	3/1/2024	Position posted
Hire 5 additional pool drivers	3/1/2024	4 hired, 1 in process
Hire 4 additional customer service representatives	3/1/2024	Complete
Have sufficient back-up rental vehicles for hard-to-serve routes	3/1/2024	On-going. Rented 2 additional trucks for hard-to-service routes
Provide on-going technician training	3/1/2024	On-going

**Janna McKay**

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**Subject:** FW: Tips to Share: Compost collection - alternative to a kitchen compost bin

**From:** Ryan Collins <[Ryan@1thinggreen.com](mailto:Ryan@1thinggreen.com)>

**Sent:** Wednesday, April 19, 2023 6:13 PM

**To:** CCCSWA Authority <[authority@recyclesmart.org](mailto:authority@recyclesmart.org)>

**Subject:** Tips to Share: Compost collection - alternative to a kitchen compost bin

Hi,

My name is Ryan Collins. I am a junior at Northgate High School in Walnut Creek. My mom and I created a new product to make collecting kitchen compost really easy which we hope will inspire more people to compost. We are officially launching our product this Saturday (Earth Day), although our website is now live and we have started taking orders. We are hoping you might be interested in checking out our website and possibly including some information about our product, The Eco-Sorter, in your newsletter.

The whole idea for this product started when I was in 5th grade at Bancroft Elementary school. That is when the school started a new program to collect compostable items at lunch time with help from Recycle Smart. I was assigned as a trash monitor and given training beforehand on what items were compostable to help kids put things in the correct trash cans. I realized that we weren't composting our kitchen scraps at home. My mom and I did some research and found that so much of our trash was actually compostable. Way more than would fit in a little compost bin on the counter. So after a long time of testing, creating lots of prototypes and piloting our product with friends, we have a product that makes collecting kitchen compost as easy as throwing out the trash. And, its manufactured in California, is made using 100% recycled plastic and ships in 100% recycled packaging.

I hope you will take some time to check out our website and hope you think it would be good information to share with your newsletter readers.

Thank you,

Ryan Collins

[1thinggreen.com](http://1thinggreen.com)