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BOARD OF DIRECTORS REGULAR MEETING

AGENDA

JANUARY 26, 2023 – 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/87262089087>

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

Webinar ID: 872 6208 9087

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. WELCOME NEW BOARD MEMBERS: KEN CARLSON, COUNTY SUPERVISOR; KERRY HILLIS, MORAGA; AND JANET RILEY, ORINDA

4. 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 8, 2022*
- b. Approve Minutes of the Special Board Meeting on January 3, 2023*
- c. Adopt Resolution 2023-02, Approving continued use of teleconferencing for the meetings of all CCCSWA legislative bodies under Assembly Bill 361*
- d. Conduct Second Reading and Adopt Ordinance 22-1, Amending Ordinance 16-1, Administrative Citations and Other Remedies*
- e. Adopt a CCCSWA Electronic Signature Policy*
- f. Approve Agency's planned strategy for in-person meetings and teleconferencing*

5. ACTION ITEMS

- a. Solid Waste Collection Maximum Rates for Rate Year 9*
Adopt Resolution 2023-03, Adopting Maximum Rates for Solid Waste Services for Rate Year 9 (March 1, 2023 through February 29, 2024).

6. INFORMATION ITEMS

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

- a. Board of Directors Annual Goal Setting Meeting
- b. Executive Director's Monthly Report*
- c. Future Agenda Items*

7. BOARD COMMUNICATIONS AND ANNOUNCEMENTS

- a. Announcement of Committee Assignments*

8. ADJOURNMENT

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

ADDRESSING THE BOARD ON AN ITEM ON THE AGENDA

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.

ADDRESSING THE BOARD ON AN ITEM NOT ON THE AGENDA

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.

AMERICANS WITH DISABILITIES ACT

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.

**REGULAR BOARD MEETING OF THE
CENTRAL CONTRA COSTA SOLID WASTE AUTHORITY
HELD ON DECEMBER 8, 2022**

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 (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. The meeting was 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 Renata Sos called the meeting to order at 3:00 P.M. on December 8, 2022.

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

ABSENT: Board Member Gina Dawson

Staff members present via teleconference: Rob Hilton, Interim Executive Director; Grace Comas, Senior Accountant; 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

Interim Executive Director Rob Hilton led the Pledge of Allegiance.

2. PUBLIC COMMENT ON ITEMS NOT ON THIS AGENDA

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

3. WELCOME NEW EMPLOYEE, MARY (GRACE) COMAS, SENIOR ACCOUNTANT

Interim Executive Director Rob Hilton introduced Mary (Grace) Comas as CCCSWA's new Senior Accountant, and described her extensive background last with the City of Martinez.

Grace Comas introduced herself and looked forward to working with the Board and the RecycleSmart team.

On behalf of the Board, Chair Sos welcomed Grace to RecycleSmart.

4. CONSENT ITEMS

- a. Approve Minutes of the CCCSWA Board Meeting on October 27, 2022
- b. Approve Minutes of the CCCSWA Board Meeting on November 16, 2022
- c. Approve 2023 CCCSWA Board of Directors Meeting Schedule
- d. Adopt Resolution 2022-15, Approving Continued Use of Teleconferencing for the Meetings of all CCCSWA Legislative Bodies Under Assembly Bill 361

Chair Sos pointed out that the March 23, 2023 meeting of the Board and thereafter would be in-person in Walnut Creek, and that while regular Board meetings were normally not held in June, a meeting had been scheduled for June 22, 2023.

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

MOTION by Board Member Gerringer to approve Consent Items a, b, c, and d, as submitted. SECOND by Board Member Onoda.

MOTION PASSED unanimously by a Roll Call vote.

5. PRESENTATIONS

- a. Solid Waste Collection Rates for Rate Year 9
Erik Nylund, Crowe LLP

Chair Sos explained that the presentation was part of a series of informational items to offer transparency into the process and to acknowledge that this rate year was potentially the most complex in recent memory layered on top of the extension of the Franchise Agreement. She noted that meetings would continue to be held with the member agencies to follow up on final figures going forward.

Erik Nylund, Crowe LLP, offered a PowerPoint presentation to identify the Rate Year 9 (RY 9) rate setting process and reported that the draft total RY 9 revenue requirement of \$66.3 million for all agencies included a shortfall of \$4.48 million representing a total rate change overall of 7.26 percent. He stated those figures were being refined and the numbers could change. He described the components of the revenue requirement, noted the factors related to franchise fees and vehicle impact payments, and identified the resulting draft rate changes and adjustments attributable to each member agency.

Mr. Nylund explained that the remaining reserves projected for the end of RY 9 into RY 10 totaled \$12.7 million in total reserves available. There were no changes to franchise fees recommended by the member agencies and only a minor change to one agency's vehicle impact fee. He identified how those draft rate changes would translate into dollar amounts for the average residential 32-gallon cart service for the member agencies that ranged from \$1.44 to \$2.63 additional cost monthly, and commercial bin service from \$14.13 up to \$33.27 additional cost monthly. He compared the rates to other jurisdictions and noted the average was \$40 to \$44 for all service.

Mr. Nylund advised that he would work with Republic Services with respect to final route allocation data and meet again with the member agencies to finalize the proposed rate changes prior to the Board's rate approval meeting on January 26, 2023.

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

6. ACTION ITEMS

- a. Second Amendment to Republic Services Franchise Agreement
Approve the Second Amendment to Agreement Between Central Contra Costa Solid Waste Authority and Allied Waste Systems, Inc. for Franchised Materials Collection, Transfer, Transport, Processing, Diversion and Disposal Services.

Chair Sos referred to the presentation at the last meeting on the business terms that had been negotiated and agreed to between CCCSWA and Republic Services with respect to the extension of the Franchise Agreement for two years and explained that the only thing left open was the methodology and the metrics used to measure performance.

Interim Executive Director Rob Hilton stated that a Franchise Agreement amendment had been prepared based on the term sheet previously approved. A key to the amendment was that it resolved a long-standing special rate request dispute with Republic Services to improve the service quality and save money for the ratepayers compared to other alternatives that had been considered. As a result of the amendment, CCCSWA and the ratepayers would benefit from an increase in staffing for some critical positions for service quality: drivers, mechanics, dispatch and customer service staff; a Recycling Coordinator to support businesses; rental vehicles to provide backups to getting the full fleet out; a training program for full service heavy equipment mechanics; the Rise onboard software system to improve documentation and service; full access to the Recyclist systems; cooperation on the Construction & Demolition (C&D) processing to get CALGreen compliance for each member agency; and when there were issues customers would be credited for missed collections. Mr. Hilton explained that the amendment would result in increased transparency and accountability along with service quality and reliability, as well as an extension of terms that were favorable to the ratepayers compared to the current cost structure.

Mr. Hilton spoke to the contingent performance piece, tying Republic's increased compensation in RYs 10, 11 and 12 to satisfaction of the performance requirements.

Mr. Hilton responded to questions related to ratepayer credits for missed collections. Mr. Hilton explained that only those who called would be counted in the data with respect to missed collections, and only customers who called to report missed collections would be credited for

missed collections. He clarified that the robo-calling advanced notice of expected missed pickups would not absolve Republic's responsibility to credit ratepayers for missed collections. Mr. Hilton acknowledged that the requirement for ratepayers to call Republic to receive a credit for missed collection could increase the number of calls to the call center. He noted that Republic would not be paid by CCCSWA if additional staff to respond to calls were required but that Republic was firm that credits only be provided based on calls. He emphasized that there was \$10 million available if service quality improved and if that was done there would not be excessive calls, which was the goal. On the discussion, staff clarified that ratepayers should call Republic for missed collections given that Republic would collect and forward the data related to missed collections to RecycleSmart for review to verify the metrics. Chair Sos wanted it to be clear in communications with ratepayers that credits or rebates for missed collections would require a call to Republic.

Further responding to questions, Mr. Hilton clarified that the adjustments to Republic Services could accumulate to a potential \$15 million over four years, which would catch up with the costs to deliver but which would not fully cover all of the cost to provide the service given some of the items that had historically been denied. He also explained how the Rise software system would improve the quality of service.

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

MOTION by Board Member Silva to approve the Second Amendment to Agreement Between Central Contra Costa Solid Waste Authority and Allied Waste Systems, Inc. for Franchised Materials Collection, Transfer, Transport, Processing, Diversion and Disposal Services per Attachment A to the staff report, dated December 8, 2022. SECOND by Board Member Francois.

MOTION PASSED unanimously by a Roll Call vote.

Chair Sos thanked RecycleSmart staff, Republic Services staff and the Ad Hoc Franchise Agreement Committee for all their work and shared wisdom in the process.

b. Amendment to Contract with HF&H Consultants for Interim Executive Director Services

Authorize the CCCSWA Board Chair to enter into an Amendment to the Professional Services Agreement with HF&H Consultants, LLC to provide Executive Director Transition Services.

Chair Sos referred to the agreement with HF&H Consultants for Mr. Hilton's services as Interim Executive Director and advised that a new permanent Executive Director would start with RecycleSmart in January 2023. The change to the agreement would move Mr. Hilton's one week vacation during the holidays (RecycleSmart would not be charged for that time) to the first week in January to help onboard the new Executive Director, and after that Mr. Hilton would be available on an on-call basis; up to \$10,000 had been designated through March 2023 for these on-call services.

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

MOTION by Board Member Andersen to authorize the CCCSWA Board Chair to enter into an Amendment to the Professional Services Agreement with HF&H Consultants, LLC to provide Executive Director Transition Services. SECOND by Board Member Worth.

MOTION PASSED unanimously by a Roll Call vote.

[Board Member Arnerich was not available for this vote.]

- c. SB 1383 Memo of Understanding (MOU) with County, and First Reading of Ordinance 22-1, Amending Ordinance 16-1 – Administrative Citations and Other Remedies
1. Approve an MOU with the County of Contra Costa, including accepting \$60,000 in one-time SB 1383 Local Assistance Grant Program funds from the County, and
 2. Introduction and First Reading of Ordinance 22-1, amending Ordinance 16-1, Administrative Citations and Other Remedies: waive full reading thereof; schedule second reading/adoption of the Ordinance at the next regular Board meeting on January 26, 2023; and direct agency legal counsel to prepare a summary for publication as required by law.

Judith Silver, Senior Program Manager, explained that the item was the culmination of work between RecycleSmart and Contra Costa County to clarify roles and responsibilities around SB 1383. She confirmed that RecycleSmart does the same thing for the unincorporated County within the service area that it does for all other member agencies. The MOU clarifies the agency's obligations to the County in terms of reporting, compliance monitoring and outreach and provides a way to receive a portion of the one-time SB 1383 grant monies the County received from CalRecycle. The County had offered \$60,000 to RecycleSmart. She noted that the Administrative Ordinance 16-1 carved the County out from the authority's oversight and the intent was to change the language to provide consistent enforcement of SB 1383

Ms. Silver thanked County staff and Contract Compliance Specialist Jen Faught for working to address these issues.

Board Member Silva referred to additional funds that had become available from CalRecycle and asked if additional funding could become available to RecycleSmart, and Ms. Silver noted that those funds had not yet been made available and she was uncertain when they would become available. She would clarify with CalRecycle.

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

MOTION by Board Member Andersen to approve an MOU with the County of Contra Costa, including accepting \$60,000 in one-time SB 1383 Local Assistance Grant Program funds from the County, and introduce a First Reading of Ordinance 22-1, amending Ordinance 16-1, Administrative Citations and Other Remedies: waive full reading thereof; schedule second reading/adoption of the Ordinance at the next regular Board meeting on

January 26, 2023; and direct agency legal counsel to prepare a summary for publication as required by law, with a follow-up with CalRecycle as to the availability of additional funding. SECOND by Board Member Mitchoff.

MOTION PASSED unanimously by a Roll Call vote.

7. INFORMATION ITEMS

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

a. Executive Director's Monthly Report

Mr. Hilton advised that the lid flipping had been done in early November, the process had gone well and over 1,250 containers had been reviewed resulting in 350 Oops tags and 200 Great Job tags. He thanked Ms. Silver for her preparation and planning for that effort. He added that the edible food inspections would start with the County on December 14 and he thanked Program Manager Ashley Louisiana for coordinating that process and noted that RecycleSmart staff would participate in the training for those inspections to secure compliance with the edible food identification and inspection process. Around construction and demolition to ensure compliance with CALGreen requirements, staff had met with the member agencies to talk about how to help each achieve compliance. He reported that as one of its commitments and amendments, Republic Services had provided Recyclist access to RecycleSmart and staff had training and full view access to the data. He thanked Ms. Silver and Republic for that work. Further, this was his last official Board meeting and he expressed his appreciation to RecycleSmart staff and to the Board.

Members of the Board thanked Mr. Hilton for all his help through the period for keeping the Board informed; for being prepared and organized; for responding to questions; for addressing the challenges; for putting in the energy and time; for exceeding the Board's expectations and keeping everything running so well; for his commitment to the Authority, staff and to transparency; and for his suggestions as to how RecycleSmart could become a better agency.

b. Future Agenda Items

Chair Sos noted that David Krueger, the new Executive Director, would conduct Franchise Agreement 101 to start the process looking towards the new agreements, do some strategic planning early in the year to give staff some policy level guidance and prioritization, and consider the potential for some voluntary ethical guidelines with respect to the engagement with third parties in connection with the Franchise Agreement process going forward.

8. FAREWELL TO BOARD MEMBERS KAREN MITCHOFF AND AMY WORTH

Chair Sos recognized long-term outgoing members of the Board and each member offered personal and heartfelt thanks to both Karen Mitchoff and Amy Worth for their service to the Board. To Karen Mitchoff, the Board thanked her for standing up for what she believed and for speaking her mind, and recognized her ability to get to the issue and to speak truth in a way that was polite, diplomatic and true. Amy Worth was recognized for being kind and generous with praise, support, offering words of positive feeling, generosity of spirit and kindness of heart. Both were recognized

for their institutional knowledge, their commitment to local and regional jurisdictions, and as role models and consummate public servants to serve the people and to make the world a better place.

a. Adopt Proclamation for CCCSWA Board Member Karen Mitchoff

MOTION by Board Member Morgan to adopt a Proclamation Honoring Karen Mitchoff for Her Distinguished Service as a Board Member of the Central Contra Costa Solid Waste Authority. SECOND by Board Member Americh.

MOTION PASSED by a Roll Call vote (Board Member Mitchoff abstained)

b. Adopt Proclamation for CCCSWA Board Member Amy Worth

MOTION by Board Member Mitchoff to adopt a Proclamation Honoring Amy Worth for Her Distinguished Service as a Board Member of the Central Contra Costa Solid Waste Authority. SECOND by Board Member Silva.

MOTION PASSED by a Roll Call vote (Board Member Worth abstained)

9. BOARD COMMUNICATIONS AND ANNOUNCEMENTS

Chair Sos advised there would be an email from staff with a Doodle poll to schedule a special meeting in early January to allow the Board to consider adopting the resolution under AB 361 to continue the emergency declaration to be able to meet remotely.

10. ADJOURNMENT

The Board adjourned at 4:27 P.M. to the meeting scheduled for Thursday, January 26, 2023 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

**SPECIAL BOARD MEETING OF THE
CENTRAL CONTRA COSTA SOLID WASTE AUTHORITY
HELD ON JANUARY 3, 2023**

The Special 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 (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. The meeting was 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 Renata Sos called the meeting to order at 1:00 P.M. on January 3, 2023.

PRESENT: Board Members: Candace Andersen
Newell Arnerich*
Gina Dawson
Matt Francois
Teresa Gerringier
Inga Miller, Vice Chair
Cindy Silva
Renata Sos, Chair
*Arrived after roll call

ABSENT: Board Member: Renee Morgan

Staff member present via teleconference: Janna McKay, CCCSWA Board Secretary.

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

Board Member Silva led the Pledge of Allegiance.

2. PUBLIC COMMENT ON ITEMS NOT ON THIS AGENDA

3. CONSENT ITEMS

- a. Adopt Resolution No. 2023-01 Approving Continued Use of Teleconferencing for the Meetings of all CCCSWA Legislative Bodies Under Assembly Bill 361

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

MOTION by Board Member Andersen to approve Consent Item a, as submitted. SECOND by Board Member Silva.

MOTION PASSED unanimously by a Roll Call vote.

Board member Silva requested for the February Board meeting information to understand the changes with the Brown Act and the ability to work remotely.

4. BOARD COMMUNICATIONS AND ANNOUNCEMENTS

There were no Board communications or announcements.

5. ADJOURNMENT

The Board adjourned at 1:06 P.M. to the meeting scheduled for Thursday, January 26, 2023 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



Agenda Report

TO: CCCSWA BOARD OF DIRECTORS

FROM: DAVID KRUEGER, EXECUTIVE DIRECTOR
DEBORAH MILLER, LEGAL COUNSEL

DATE: JANUARY 26, 2023

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 2023-02, 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. The Health Officer updated its recommendations on June 14, 2022, August 9, 2022, September 1, 2022, October 4, 2022 and January 5, 2023. The Health Officer encourages online meetings, where practical, as online meetings “present the lowest risk of transmission”, which the Health Office notes is particularly important when community prevalence rates are high and given the County’s current trends in case rate, test positivity, hospitalizations, and waste water surveillance, and high community transmission.

<https://cchealth.org/covid19/pdf/recommendations-for-safe-public-meetings.pdf>

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 January 3, 2023. 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 2023-02, Continued Use of Teleconference for the Meetings of all CCCSWA Legislative Bodies under AB 361

RESOLUTION NO. 2023-02

**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.” The Health Officer updated its recommendations on June 14, 2022, August 9, 2022, September 1, 2022, October 4, 2022 and January 5, 2023. The Health Officer encourages online meetings, where practical, as online meetings “present the lowest risk of transmission”, which the Health Office notes is particularly important when community prevalence rates are high and given the County’s current trends in case rate, test positivity, hospitalizations, and waste water surveillance, and high community transmission; 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 _____, 2023, by the following vote:

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

Renata Sos, 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: JUDITH SILVER, SENIOR PROGRAM MANAGER
DATE: JANUARY 26, 2023

**SUBJECT: SECOND READING AND ADOPTION OF ORDINANCE 22-1,
AMENDING ORDINANCE 16-1, ADMINISTRATIVE CITATIONS AND
OTHER REMEDIES**

SUMMARY

On December 8, 2022, the RecycleSmart Board of Directors conducted a first reading of the proposed Ordinance 22-1 which would amend RecycleSmart's Ordinance 16-1, the Administrative Citations and Other Remedies Ordinance, to confirm RecycleSmart's enforcement authority in portions of the unincorporated County.

RECOMMENDED ACTION

1. Conduct second reading and adopt Ordinance 22-1: Administrative Citations and Other Remedies Ordinance, Amending Ordinance 16-1; waive full reading thereof; and direct agency legal counsel to prepare a summary for publication as required by law.

DISCUSSION

RecycleSmart's Ordinance, 16-1, Administrative Citations and Other Remedies, excluded the County areas from RecycleSmart's enforcement authority, and therefore must be amended. The only change to the existing ordinance is to confirm RecycleSmart's ability to enforce RecycleSmart's Ordinance 21-1 (Mandatory Organic Waste Disposal Reduction Ordinance) in the portion of unincorporated Contra Costa County within RecycleSmart's service area, beginning January 1, 2024. If adopted today, the ordinance will become effective after 30 days.

ATTACHMENT

- A. Ordinance 22-1: Administrative Citations and Other Remedies Ordinance, Amending Ordinance 16-1.

ORDINANCE 22-1
AMENDING ORDINANCE 16-1

AN ORDINANCE OF THE CENTRAL CONTRA COSTA SOLID WASTE AUTHORITY
AMENDING THE ADMINISTRATIVE CITATIONS AND OTHER REMEDIES
ORDINANCE

WHEREAS, On February 25, 2016, the Central Contra Costa Solid Waste Authority (“CCCSWA”) Board of Directors adopted Ordinance 16-1 (Administrative Citations and Other Remedies), providing a system for administrative citations and enacting administrative procedures that govern the imposition, enforcement, collection, and administrative review of administrative fines and penalties for violations of CCCSWA’s ordinances; and

WHEREAS, CCCSWA Ordinance 16-1 at Section 1(B) provides: “The administrative enforcement permitted by this ordinance will not be used at this time in unincorporated [Contra Costa] County areas;” and

WHEREAS, On December 9, 2021, the CCCSWA Board of Directors adopted Ordinance 21-1 (Mandatory Organic Waste Disposal Reduction), as required by California Department of Resources Recycling and Recovery (“CalRecycle”) regulations implementing Senate Bill 1383 (Short-Lived Climate Pollutant Reduction Act of 2016) (“SB 1383”). The SB 1383 regulations generally address requirements applicable to organic waste collection services, inspection of waste containers for prohibited contaminants, regulation of commercial edible food generators, provision of education and outreach information to generators, reporting to CalRecycle on compliance with the SB 1383 regulations, and maintenance of records of compliance with the SB 1383 regulations, with the goal of achievement of statewide organic waste disposal reduction targets; and

WHEREAS, CCCSWA Ordinance 21-1 implements relevant provisions of the SB 1383 regulations on behalf of CCCSWA’s member agencies throughout CCCSWA’s territory, including the portions of unincorporated Contra Costa County within CCCSWA’s territory (“County Unincorporated Area”);

WHEREAS, CCCSWA Ordinance 21-1 at Section 12 describes CCCSWA’s enforcement authority for violations of Ordinance 21-1, beginning January 1, 2024;

WHEREAS, Notwithstanding CCCSWA Ordinance 16-1 at Section 1(B), County desires CCCSWA to enforce CCCSWA Ordinance 21-1 in the County Unincorporated Area within CCCSWA’s territory, including, beginning January 1, 2024, taking enforcement actions for violations of Ordinance 21-1 following the procedures contained in CCCSWA Ordinance 16-1;

WHEREAS, CCCSWA wishes to amend Ordinance 16-1 to confirm that CCCSWA may apply Ordinance 16-1 to County Unincorporated Area within CCCSWA’s territory for the purpose of enforcing Ordinance 21-1 (but no other CCCSWA ordinance).

NOW, THEREFORE, the Board of Directors (“Board”) of the CCCSWA hereby ordains as follows:

Section 1. **Adoption.** This Ordinance 22-1 amends Ordinance 16-1 (Administrative Citations and Other Remedies), as set forth in Exhibit A. Text to be added is indicated in underlined font (e.g., underlined) and text to be deleted is indicated in ~~strikeout~~ font (e.g., ~~strikeout~~).

Section 2. **Severability.** If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this Ordinance 22-1 is for any reason held to be invalid, such a decision shall not affect the validity of the remaining portions of this Ordinance. The Board hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase of this Ordinance irrespective of the invalidity of any section, subsection, subdivision, paragraph, sentence, clause or phrase.

Section 3. **CEQA.** The Board finds that this Ordinance 22-1 is not subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines (Title 14 of the California Code of Regulations) Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) because it has no potential for resulting in physical change in the environment, directly or indirectly. Further, this action is exempt from CEQA under CEQA Guidelines Section 15061(b)(3) (the amendments are exempt because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment).

Section 4. **Effective Date.** This Ordinance 22-1 shall be effective 30 days after its adoption.

Section 5. **Publication.** The Board Secretary shall either (a) have this Ordinance 22-1 published once within 15 days after adoption in a newspaper of general circulation in Contra Costa County, or (b) have a summary of this Ordinance with the names of the Board members voting for and against the Ordinance published twice in a newspaper of general circulation, once 5 days before its adoption and again within 15 days after its adoption, and with a certified copy of the entire Ordinance posted at the CCCSWA offices.

The foregoing Ordinance was introduced at a regular meeting of the Board on December 8, 2022, and adopted and ordered published at a regular meeting of the Board on January 26, 2023 by the following vote:

AYES: Members: _____

NOES: Members: _____

ABSTAIN: Members: _____

ABSENT: Members: _____

Renata Sos, Chair
Central Contra Costa Solid Waste Authority
County of Contra Costa, State of California

COUNTER-SIGNED:

APPROVED AS TO FORM:

Janna McKay, Secretary of the Board,
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

EXHIBIT A

**ORDINANCE 16-1
AS AMENDED BY ORDINANCE 22-1**

ADMINISTRATIVE CITATIONS AND OTHER REMEDIES

RECITALS

WHEREAS, the Central Contra Costa Solid Waste Authority (CCCSWA) has the authority, via its Member Agencies, to make violations of its ordinances subject to an administrative fine or penalty under Government Code sections 53069.4 and 36901; and

WHEREAS, setting procedures for the imposition of administrative citations will allow the CCCSWA to more easily resolve violations of CCCSWA ordinances administratively rather than pursuing criminal remedies; and

WHEREAS, pursuant to Article II, Section 1.A of Ordinance Number 97-01, the CCCSWA wishes to provide for a system of administrative citations, which would be in addition to all other legal remedies, criminal or civil, that the CCCSWA may pursue to address a violation of its ordinances; and

WHEREAS, the CCCSWA wishes to enact administrative procedures that shall govern the imposition, enforcement, collection, and administrative review of administrative fines or penalties for Violations of all its ordinances; and

WHEREAS, the CCCSWA further wishes to specifically enumerate its authority to pursue civil actions as an additional remedy to address violations of its ordinances; and

WHEREAS, ~~this ordinance is not currently intended to be used in unincorporated County areas~~ in unincorporated County areas of CCCSWA's territory, this ordinance is only intended to be used to enforce CCCSWA Ordinance Number 21-1, the Mandatory Organic Waste Disposal Reduction Ordinance and no other CCCSWA ordinance.

NOW, THEREFORE, the Board of the Central Contra Costa Solid Waste Authority does hereby ordain as follows:

Section 1 APPLICABILITY

- A. This ordinance provides for an administrative enforcement mechanism that is in addition to all other legal remedies, criminal or civil, that may be pursued by the CCCSWA to address any violation of its ordinances, including all existing ordinances and any future ordinance adopted after the effective date of this ordinance.
- B. ~~The administrative enforcement permitted by this ordinance will not be used at this time in unincorporated County areas~~ In unincorporated County areas of CCCSWA's territory, the administrative enforcement permitted by this ordinance

will only be used to enforce CCCSWA Ordinance Number 21-1, the Mandatory Organic Waste Disposal Reduction Ordinance, as may be subsequently amended and no other CCCSWA ordinance.

- C. Member Agencies are authorized to enforce CCCSWA ordinances in their jurisdictions using this ordinance.
- D. Use of this ordinance is at the sole discretion of the CCCSWA and/or the affected Member Agency.

Section 2 DEFINITIONS

For purposes of this ordinance:

- A. “Enforcement Officer” shall mean any CCCSWA officer, employee or agent, or any Member Agency officer, employee or agent, or any other representative of the CCCSWA with the authority to enforce any duly adopted ordinance of the CCCSWA.
- B. “Hearing Officer” shall mean that person(s) designated by the Executive Director.
- C. “Person Responsible” shall mean a Person(s), as that term is defined in Article I, Section 2(39) of Ordinance Number 97-1, determined by the Enforcement Officer to have violated or is maintaining a violation of any CCCSWA ordinance.
- D. “Violation” shall mean the act or instance of violating any provision of CCCSWA’s ordinances, including all existing ordinances and any future ordinance adopted after the effective date of this ordinance. Each and every day during any portion of which a violation of any provision of any CCCSWA ordinance is committed, continued or permitted to continue shall constitute a separate violation. When the act or instance of violation occurs at multiple properties or businesses, each act or instance of violation at a separate property or business shall also constitute a separate violation.

Section 3 ADMINISTRATIVE CITATION

- A. Whenever an Enforcement Officer determines that a Violation has occurred or is being maintained, the Enforcement Officer shall have the authority to issue administrative citations to any Person Responsible.
- B. If a citation is to be issued, each administrative citation shall contain the following information:
 - 1. The date of the Violation;
 - 2. The address or a definite description of the location where the Violation occurred;

3. The ordinance section violated and a description of the Violation;
 4. The amount of the fine for the Violation;
 5. If applicable, the action necessary to correct the Violation and a reasonable correction period;
 6. A description of the fine payment process, including a description of the time within which and the place to which the fine shall be paid;
 7. A description of the administrative citation review process, including the time within which the administrative citation may be contested and the place from which a request for hearing form to contest the administrative citation may be obtained;
 8. The name and signature of the citing Enforcement Officer.
- C. The administrative citation may be served via certified mail, postage prepaid, first class mail or may be personally served on the Person Responsible in accordance with Section 12 below. If personally served, the Enforcement Officer will attempt, to the extent possible, to obtain the signature of the Person Responsible on the administrative citation, if he or she can be located. If the Person Responsible refuses or fails to sign the administrative citation, the failure or refusal to sign shall not affect the validity of the citation and subsequent proceedings.

Section 4 AMOUNT OF FINES

- A. Except where a Violation is designated as an infraction in a CCCSWA ordinance, the fines imposed shall be as follows:
1. \$250 for a first Violation.
 2. \$500 for a second Violation of the same ordinance within one year of the first violation.
 3. \$1,000 for the third and each additional Violation of the same ordinance within one year of the first violation.
- B. Pursuant to Government Code section 53069.4(a)(1), where a Violation is designated as an infraction in a CCCSWA ordinance, the fines imposed shall be as follows:
1. \$100 for a first Violation.
 2. \$200 for a second Violation of the same ordinance within one year of the first violation.

3. \$500 for the third and each additional Violation of the same ordinance within one year of the first violation.

Section 5 PAYMENT OF FINES

- A. The administrative citation fine shall be paid to the CCCSWA or its Member Agency within thirty (30) days from the date of the administrative citation.
- B. Payment of a fine under this ordinance shall not excuse or discharge any continuation or repeated occurrence of the Violation that is the subject of the administrative citation.

Section 6 HEARING REQUEST

The Person Responsible may contest the citation by completing a request for hearing form and returning it to the CCCSWA within fifteen (15) calendar days from the date of the administrative citation, together with an advance deposit of the fine. A request for hearing form may be obtained from the department specified on the administrative citation.

Section 7 HEARING OFFICER

The Executive Director shall designate hearing officers for administrative citation hearings. Hearing Officers may be employees of CCCSWA or its Member Agencies or non-employees qualified to hear such matters and selected in a manner that avoids the potential for bias. A Hearing Officer's continued employment, performance evaluation, compensation and benefits shall not, directly or indirectly, be linked to the number or amount of fines upheld by the Hearing Officer.

Section 8 HEARING PROCEDURE

- A. No hearing to contest an administrative citation before a Hearing Officer shall be held unless the fine has been deposited in advance in accordance with section 6.
- B. A hearing before the Hearing Officer shall be set for a date that is not less than fifteen (15) calendar days and not more than sixty (60) calendar days from the date that the request for hearing is filed.
- C. A Person Responsible who has complied with subsection A shall be notified of the time and location for the hearing at least ten (10) calendar days prior to the date of the hearing. The location set for the hearing will be within the CCCSWA service area.

If the Enforcement Officer submits an additional written report concerning the administrative citation to the Hearing Officer for consideration at the hearing, then a copy of this report shall also be served on the Person Responsible who has complied with subsection A at least five (5) calendar days prior to the date of the hearing.

- D. At the hearing, the Person Responsible who has contested the administrative citation in compliance with Section 6 shall be given the opportunity to testify and to present evidence concerning the administrative citation.
- E. The failure of any Person Responsible who has contested the administrative citation in compliance with Section 6 to appear at the administrative citation hearing shall constitute a forfeiture of the fine and a failure to exhaust their administrative remedies.
- F. The administrative citation and any additional report submitted by the Enforcement Officer shall constitute prima facie evidence of the respective facts contained in those documents.
- G. Evidence offered during a hearing must be credible and relevant in the estimation of the Hearing Officer, but formal rules governing the presentation and consideration of evidence shall not apply.
- H. The Hearing Officer may continue the hearing and request additional information from the Enforcement Officer or the Person Responsible prior to issuing a written decision.

Section 9 HEARING OFFICER'S DECISION

- A. After considering all of the testimony and evidence submitted at the hearing, the Hearing Officer shall issue a written decision to uphold, modify or overturn the administrative citation and shall list in the decision the reasons for that decision. The decision of the Hearing Officer shall be final.
- B. If the Hearing Officer determines that the administrative citation should be upheld, then the fine amount on deposit with the CCCSWA shall be retained by it.
- C. If the Hearing Officer determines that the administrative citation should be modified or overturned, then the CCCSWA shall promptly refund any amount of the deposited fine not upheld by the Hearing Officer, together with interest at the average rate earned on the CCCSWA's portfolio for the period of time that the fine amount was held by the CCCSWA.
- D. The Person Responsible shall be served with a copy of the Hearing Officer's written decision.

Section 10 RECOVERY OF ADMINISTRATIVE CITATION FINES AND COSTS

The CCCSWA or its Member Agencies may collect any past due administrative citation fine or late payment charge by use of all available legal means including, but not limited to, means available for the collection of judgments, liens, special assessments and actions for recovery of money.

The CCCSWA and/or its Member Agencies also may recover its collection costs, including, but not limited to, administrative costs and attorney fees generated from its attempt to collect any past due administrative fine or late payment charge. Such collection costs shall be in addition to any penalties, interest, or late charges imposed pursuant to an ordinance or resolution of the CCCSWA Board. However, CCCSWA and its Member Agencies shall not recover attorney's fees in connection with the administrative hearing process on administrative citations.

Section 11 RIGHT TO JUDICIAL REVIEW

- A. Any person aggrieved by a decision of the Hearing Officer may obtain review of the decision by filing an appeal with the superior court in Contra Costa County in accordance with the time lines and provisions set forth in Government Code section 53069.4(b)(1).

In any appeal filed pursuant to Government Code section 53609.4(b)(1) where the Violation charged in the administrative citation is designated as a public nuisance, the prevailing party shall be entitled to recover reasonable attorneys' fees and costs generated from the prevailing party's defense or prosecution of the appeal; provided, that, pursuant to Government Code Section 38773.5, attorneys' fees shall only be available in an action or proceeding in which the CCCSWA or its Member Agency has elected, at the commencement of such action or proceeding, to seek recovery of its own attorneys' fees. In no action or proceeding shall an award of attorneys' fees to a prevailing party pursuant to this Section exceed the amount of reasonable attorneys' fees incurred by the CCCSWA or its Member Agency in its defense of the appeal.

Where the Violation charged in the administrative citation is not designated as a public nuisance, the CCCSWA or its Member Agency shall be entitled to recover reasonable attorneys' fees and costs generated from its defense of the appeal if it is the prevailing party provided, that attorneys' fees shall only be available in an action or proceeding in which the CCCSWA or its Member Agency has elected, at the commencement of such action or proceeding, to seek recovery of its own attorneys' fees.

- B. The CCCSWA and/or its Member Agency are prohibited from seeking review of an administrative decision of a Hearing Officer on an administrative citation pursuant to Government Code Section 53069.4.
- C. No administrative decision of a Hearing Officer on an administrative citation shall estop the CCCSWA, any of its Member Agencies or any of its employees from exercising his, her or its independent authority and judgment in any other forum within or outside the CCCSWA.

Section 12 NOTICES

- A. The administrative citation and all notices required to be given by this ordinance may be served on the Person Responsible by personal delivery. Notices and administrative citations may also be mailed to the Responsible Party by certified

mail, postage prepaid. Simultaneously, the same administrative citation or notice may be sent by first-class mail, postage prepaid. If an administrative citation or notice sent by certified mail is returned unclaimed, service by first-class mail shall nevertheless be effective if that mail is not returned. The mail shall be addressed to such person to be notified at his last known business or residence address as the same appears in the public records or other records pertaining to the matter to which such notice is directed. In addition, if the Enforcement Officer's reasonable investigation reveals a different home or business address for the Responsible Person, a copy of the administrative citation or notice shall also be sent to this alternate address by first-class mail, postage prepaid. Service by mail shall be deemed to have been completed at the time of deposit in the post office.

- B. Failure to receive any notice specified in this ordinance does not affect the validity of proceedings conducted hereunder.

Section 13 REMEDIES CUMULATIVE

The remedies provided for in this ordinance shall be cumulative and not exclusive, and shall be in addition to any and all other remedies available to the CCCSWA and/or its Member Agencies.

Section 14 FUNDING OF ENFORCEMENT EFFORTS BY MEMBER AGENCIES

To the extent that a Member Agency implements enforcement programs pursuant to this ordinance, that Member Agency shall be responsible for the costs associated with issuing the administrative citation, processing any timely request for a hearing pursuant to Section 6, conducting the hearing and defending against any timely appeal filed pursuant to Government Code section 53069.4(b)(1).

However, that Member Agency may track staff time and funds expended for those activities and submit a statement of expenses to the CCCSWA for reimbursement. Within 30 days of receiving the statement of expenses, the CCCSWA will reimburse the Member Agency using CCCSWA reserve funds attributed to that Member Agency provided sufficient funds are available. If sufficient reserve funds attributed to that Member Agency are not available when the Member Agency submits a statement of expenses, then CCCSWA will reimburse the Member Agency within 30 days of such funds becoming available.

If CCCSWA recovers a fine(s) as a result of a Member Agency issuance of an administrative citation, those fines will be deposited into the reserve fund for that Member Agency. If the Member Agency recovers any costs and/or attorneys' fees in its defense of an appeal to the superior court, then it shall retain those costs and/or attorneys' fees.

Section 15 ADDITIONAL REMEDIES

In addition to any other remedy available to CCCSWA to address a Violation including, but not limited to issuance of administrative citations, CCCSWA may bring an action for injunctive relief, recovery of damages, fines and penalties including an action for public sale of property to pay any outstanding liens.

In any such action where the Violation sought to be addressed is designated as a public nuisance, the prevailing party shall be entitled to recover reasonable attorneys' fees and costs; provided, that, pursuant to Government Code Section 38773.5, attorneys' fees shall only be available in an action or proceeding in which the CCCSWA has elected, at the commencement of such action or proceeding, to seek recovery of its own attorneys' fees. In no action or proceeding shall an award of attorneys' fees to a prevailing party pursuant to this Section exceed the amount of reasonable attorneys' fees incurred by the CCCSWA.

Section 16 SEVERABILITY

The provisions of this Ordinance are severable and if any provision, clause, sentence, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, sections, words or parts thereof of the Ordinance or their applicability to other persons or circumstances.

Section 17 — EFFECTIVE DATE

~~Upon adoption, this Ordinance shall be entered in the minutes of the CCCSWA Board and a summary shall be published in the Contra Costa Times within 15 days after adoption, and this Ordinance shall take effect and be in force and effect immediately after the 30th day following adoption.~~



Agenda Report

TO: CCCSWA BOARD OF DIRECTORS
FROM: DAVID KRUEGER, EXECUTIVE DIRECTOR
DATE: JANUARY 26, 2023
SUBJECT: CCCSWA ELECTRONIC SIGNATURE POLICY

SUMMARY

Staff is proposing adoption of an Electronic Signature Policy to ensure efficient and secure approval of documents.

RECOMMENDED ACTION

1. Consider Adopting the attached CCCSWA Electronic Signature Policy.

DISCUSSION

Electronic signatures help simplify workflow by enabling fast, secure, and efficient collection and preservation of signatures. Their use also reduces consumption and storage of paper documents and the costs of postage, delivery, printing, ink, and paper. Given these benefits, it is the Central Contra Costa Solid Waste Authority's (CCCSWA's) objective to facilitate use of electronic signatures, including digital signatures, in CCCSWA documents, communications, and transactions.

The recommended policy specifies that the use of electronic signatures is permitted and shall have the same force and effect as the use of manual signatures if all of the following criteria are met: (a) the electronic signature is capable of verification; (b) the electronic signature is under the sole control of the person using it; and (c) the electronic signature is linked to the data in such a manner that it is readily ascertainable if the data is changed after the electronic signature is applied. Electronic signature providers (e.g. Adobe Sign, DocuSign) have available technologies which meet the criteria.

ATTACHMENT

- A. CCCSWA Electronic Signature Policy

CENTRAL CONTRA COSTA SOLID WASTE AUTHORITY

POLICY TITLE: Electronic Signature Policy

A. Policy Statement.

Electronic signatures help simplify workflow by enabling fast, secure, and efficient collection and preservation of signatures. Their use also reduces consumption and storage of paper documents and the costs of postage, delivery, printing, ink, and paper. Given these benefits, it is the Central Contra Costa Solid Waste Authority's (CCCSWA's) objective to facilitate use of electronic signatures, including digital signatures, in CCCSWA documents, communications, and transactions.

B. Definitions.

Digital Signature – a type of electronic signature that is an electronic identifier, created by computer, intended by the party using it to have the same force and effect as the use of a manual signature. A digital signature must be unique to the person using it, capable of verification, under the sole control of the person using it, linked to data in a manner that will invalidate the signature if the data is changed, and conform to regulations adopted by the California Secretary of State.

Electronic Signature – an electronic sound, symbol, or process attached to or associated with an electronic record and executed or adopted by a person with the intent to sign the electronic record. An acceptable electronic signature must be attributable to the person who signed it. Electronic signatures include a wide variety of signature formats, including manually signing a document and emailing or faxing a scan of the document, pasting a data clip of a manually written signature into a document, and generating a signature through an advanced technology. Digital signatures are a specific type of electronic signature.

Manual Signature – a signature written by hand, typically with an ink pen. Manual signatures are also commonly called “wet” signatures.

C. Protocols for Use and Acceptance of Electronic Signatures.

1. General Authorization. CCCSWA may use and accept electronic signatures on documents and records used to conduct the business of the agency to the fullest extent permitted by law and consistent with this policy.

Examples of the categories of documents that are expected to be eligible for electronic signatures include: Board documents (ordinances, resolutions, minutes); procurement documents (bids, proposals); contracts and agreements (franchise agreements, professional services agreements, intergovernmental agreements); finance documents (purchase orders, vendor invoices, check requests, reimbursement requests); correspondence; and human resources documents (timesheets, direct deposits, payroll processing, employee performance reviews, personnel forms).

Examples of the categories of documents that are expected to require manual signatures include: documents that require an official stamp/seal (engineering plans, surveys, legal descriptions); documents recorded with the County Recorder (grant deeds, easements); bond documents (indenture); and documents requiring notarization.

2. Use Optional. Pursuant to California law, the use of electronic signatures remains optional. Nothing herein precludes CCCSWA's use or acceptance of manual signatures, or requires that any third party signing a document use or accept an electronic signature.
3. Consent Required. Contracts or other forms of agreement between CCCSWA and a third party that will be executed and transmitted electronically must indicate the parties' consent as to the use of electronic signatures.
4. Requirements of Electronic Signatures. The use of electronic signatures is permitted and shall have the same force and effect as the use of manual signatures if all of the following criteria are met: (a) the electronic signature is capable of verification; (b) the electronic signature is under the sole control of the person using it; and (c) the electronic signature is linked to the data in such a manner that it is readily ascertainable if the data is changed after the electronic signature is applied.
5. Acceptable Technologies. The Executive Director will determine which digital signature provider CCCSWA will use and accept (e.g., Adobe Sign or DocuSign), and the associated procedures to ensure the accuracy of the final form of any document subject to digital signature, the authenticity of digital signatures, the enforceability of digital signatures to the same extent as manual signatures, and compliance with applicable state and federal law. It is anticipated that CCCSWA typically will require that CCCSWA control the preparation of final forms of agreements for signature, the sending of agreements to signatories through CCCSWA's chosen digital signature vendor, and the collection and maintenance of signature receipts/audit trails for agreements.
6. Filing and Storage. The Executive Director will determine the agency's procedures regarding filing and storage of electronically signed documents. Such procedures should be designed to ensure, among other things, robust organization to facilitate identification of records; complete retention of records required to validate the authenticity of electronic signatures; security and integrity of electronic records, electronic data, and electronic signatures; and compliance with records retention requirements and the previously adopted CCCSWA Records Retention and Disposal Policy.
7. Only Authorized Users/Signers. Only those persons authorized to sign a particular document on CCCSWA's behalf are permitted to use electronic signatures. Only the authorized person may apply their electronic signature to a document; no one may "delegate" authority to another person to apply an electronic signature on their behalf.

The Executive Director, in consultation with Legal Counsel, will periodically review and recommend updates to this policy, as necessary, to reflect changes in the needs of the agency and industry best practices.



Agenda Report

TO: CCCSWA BOARD OF DIRECTORS
DAVID KRUEGER, EXECUTIVE DIRECTOR

FROM: JANNA MCKAY, BOARD SECRETARY
DEBORAH MILLER, LEGAL COUNSEL

DATE: JANUARY 26, 2023

SUBJECT: **BROWN ACT – STRATEGY FOR IN-PERSON MEETINGS AND TELECONFERENCING**

SUMMARY

Staff seeks the Board’s approval of its recommended strategy for complying with the Ralph M. Brown Act in light of new state legislation effective January 1 and the Governor’s announcement that the COVID-19 state of emergency will end on February 28. Beginning March 1, CCCSWA staff recommend that:

1. CCCSWA resume in-person meetings of the Board and its standing committees, and welcome the public to attend these meetings and provide public comment in person;
2. Based on the lean staffing resources at the agency, CCCSWA not offer video teleconferencing (Zoom) for Board members or the public at Board or standing committee meetings; and
3. Board members continue to have the option to participate in Board and standing committee meetings via telephone, following the procedures under the Brown Act in the same manner as before COVID-19.

RECOMMENDED ACTION

1. Approve staff’s planned strategy for complying with the Ralph M. Brown Act.

DISCUSSION

Background

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 imposed or recommended measures initially to prohibit in-person meetings and later to recommend measures to promote social distancing, including online meetings of the legislative bodies of public agencies to reduce the spread of the disease. On September 16, 2021, the Governor signed Assembly Bill (AB) 361, a bill that amends the Brown Act to allow local public agencies to meet by teleconferencing (Zoom) during a state of emergency without complying with restrictions in the Brown Act that would otherwise apply. The CCCSWA Board and its standing committees have been making the requisite

findings under AB 361 and holding meetings exclusively via teleconference participation of the Board, staff, and the public since that time. On October 17, 2022, the Governor announced that the COVID-19 state of emergency will end on February 28. When the state of emergency ends, the permission to teleconference under AB 361 will also end.

Planned Strategy

Beginning March 1, staff recommends the agency proceed as follows:

1. Resume In-Person Meetings.

As previously announced by the Board Chair, beginning March 1, CCCSWA will resume in-person meetings of the Board and its standing committees. Board meetings are typically held at Walnut Creek City Hall (1666 North Main Street, 3rd Floor Conference Room in Walnut Creek (use elevator by City Council Chambers) and standing committee meetings are typically held at CCCSWA's offices (1850 Mt. Diablo Blvd. Suite 320 in Walnut Creek). If a meeting is scheduled for a different location, it will be indicated on the meeting agenda and in compliance with the Brown Act. The public will be welcome to attend meetings and provide public comment in person at these meetings.

2. No Video Teleconferencing.

Under normal, pre-COVID circumstances, the Brown Act does not permit legislative bodies to meet via video teleconferencing and does not require public agencies to offer video teleconferencing, live video streaming, or on-demand video archive of Board meetings for members of the public.

Staff understands that Walnut Creek City Hall has been retrofitted over the last 2 years to add video capability to certain meeting rooms, including the 3rd Floor Conference Room where the CCCSWA Board typically meets. Although this new technology is available, staff does not at this time recommend that the agency offer video teleconferencing (Zoom) for its Board and standing committee meetings. CCCSWA has extremely lean staffing with limited IT support and resources. CCCSWA staff are concerned that it would be burdensome and cumbersome to add video teleconferencing to meetings. There is also risk that IT issues could arise during a meeting that cannot be resolved instantaneously, potentially jeopardizing the Board's ability to continue a meeting and conduct agency business. Having our existing IT contractor attend Board and standing committee meetings to monitor and facilitate video teleconferencing would cost \$121.50 per hour.

For these reasons, CCCSWA staff recommend that the agency not offer video teleconferencing (Zoom) for Board members or the public at any Board or standing committee meetings. Staff will continue to monitor the implementation of Walnut Creek's video teleconferencing systems and advise the Board if a video teleconferencing opportunity becomes more feasible for the agency.

Special Note Regarding AB 2449: Effective January 1, the State legislature adopted AB 2449, amending the Brown Act to allow members of legislative bodies to teleconference to public meetings for "just cause" or "emergency circumstances" without the need to identify the member's teleconference location or make the location accessible to the public. If the Board approves staff's recommendation above not to offer video teleconferencing for its meetings, the provisions of AB 2449 will not be available to Board members.

The procedures to utilize the AB 2449 options are described by the League of California Cities as “onerous.” AB 2449’s Just Cause option may only be used for: (i) child care or caregiving of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires a member to participate remotely; (ii) a contagious illness that prevents a member from attending in person; (iii) a need related to a physical or mental disability; or (iv) travel while on business of the legislative body or another state or local agency. To use this option, the member must notify the Board at the earliest possible opportunity, which could be at the start of the Board meeting. The member must provide a general description of the circumstances related to one of the four permitted circumstances described above, but approval/consent of the Board does not appear to be required.

AB 2449’s Emergency Circumstances option may only be used for a physical or family medical emergency that prevents a member from attend the meeting in person. The member must provide a general description of the circumstances relating to the member’s need to appear remotely. The Board must approve the member’s request to teleconference under this option.

Under both the Just Cause and Emergency Circumstance options, AB 2449 applies additional rules, including that the member must participate through audio and visual technology; the legislative body must provide a way for the public to remotely hear, visually observe, and remotely address the legislative body; and if there is a disruption to the meeting broadcast, no further action can be taken on agenda items until the issue is resolved. Additionally, a member may only rely on the Just Cause option up to two meetings per calendar year, and a member may not participate in meetings remotely for more than three consecutive months or 20% of the agency’s regular meetings within a calendar year.

The AB 2449 options would require additional staff resources to implement, may cause CCCSWA Board meetings to become somewhat less efficient, and, if an IT issues arises during a meeting that cannot be resolved instantaneously, would require the business of the agency to stop. In any event, if the Board approves staff’s recommendation as described above not to offer video teleconferencing for its meetings, the provisions of AB 2449 will not be available to Board members and these concerns will be moot.

3. Participation Via Telephone.

Board members will continue to have the option to participate in Board and standing committee meetings via telephone, following the procedures under the Brown Act in the same manner as before COVID-19. Those procedures generally require the member to identify the teleconference location and make the location accessible to the public (e.g., post an agenda on a hotel conference room door, ensure the public can freely access the conference room without a key or need for special credentials, and use a speaker phone if a member of the public is in attendance at the remote location). While somewhat antiquated, this option is familiar to Board members and continues to be available if needed.

Staff and legal counsel will continue to monitor federal, state, and local legislation related to the Brown Act and advise the Board if any changes to the above strategy are prudent.



Agenda Report

TO: CCCSWA BOARD OF DIRECTORS

FROM: DAVID KRUEGER, EXECUTIVE DIRECTOR
CC: ERIK NYLUND, CROWE LLP

DATE: JANUARY 26, 2023

SUBJECT: SOLID WASTE COLLECTION MAXIMUM RATES FOR RATE YEAR 9

SUMMARY

At the September 22, 2022 Board meeting, and thereafter at individual meetings with the Member Agency's representatives and their staff, the components of the draft proposed Rate Year 9 (RY 9) maximum rates were analyzed, explained, and discussed. At its December 8, 2022 meeting, the Board was presented with the results of the draft proposed maximum rates of the Member Agencies. It is now time for the Board to consider approving solid waste maximum rates for CCCSWA (Authority) customers for March 2023 through February 2024. Approval of the recommended RY 9 rates is necessary in order to implement the recent Board-approved two-year extension of Republic Service's franchise agreement which: (1) extends the contract on favorable terms to the Authority and its member agencies; and (2) creates meaningful incentives for Republic to demonstrate improved collection quality and reliability for the benefit of our ratepayers.

RECOMMENDED ACTION

1. Adopt Resolution 2023-03, Adopting Maximum Rates for Solid Waste Services for Rate Year 9 (March 1, 2023 through February 29, 2024).

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 2023 through February 2024 at the Authority's January 26, 2023 Board meeting.

RY9 Revenue Requirement - \$66,358,350

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

The following is a summary of each component:

Collection Company Compensation for RY9 - \$49,093,441

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) evaluated the cost submission from Republic and computed costs for Republic at \$49,093,441 in accordance with the rate setting methodology set forth in the Franchise Agreement between the Authority and Republic Services, dated May 14, 2014.

In addition to the scheduled cost-based rate adjustment for RY 9, Republic Services presented a Rate Year 9 (RY 9) special rate request for \$8,018,397. This request was for costs incurred due to special circumstances including COVID leave impacts, SB 1383 organics processing, and the Walnut Creek bridge project. Staff negotiated with Republic a reduction in that amount and a spreading of the costs over three years: \$1,901,937 will be allowed for RY 9; \$1,915,511 in RY 10; and, \$1,986,829 in RY 11. The special rate adjustment amounts associated with RY 10, RY 11, and RY 12 are conditioned on Republic’s demonstrated improvement in service quality. This special rate adjustment was approved by the Board at the October 27, 2022 Board Meeting. At the December 8, 2022 Board Meeting the Board approved an amendment to Republic’s franchise agreement in order to resolve the outstanding special rate request from Republic, extend the contract on favorable terms to the Authority and its member agencies, and create meaningful incentives for Republic to demonstrate improved collection quality and reliability for the benefit of our ratepayers.

Member Agency / JPA-related Expenses for RY9 - \$16,137,397

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 a fee for processing of the recyclable materials delivered from the service area; and
- 4) JPA-related expenses and Authority-wide diversion program costs.

Table 1 summarizes the Member Agency franchise fee percentages and vehicle impact costs for RY9, 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)	\$1,157,742
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 \$4,763,657 for RY 9.

The dollar amounts associated with the vehicle impact costs in Table 1 are shown on “Attachment B” (a total of \$6,024,309 Authority-wide).

The MDR recycling payment of \$2,609,886 and JPA administrative expenses and authority-wide diversion program costs of \$2,739,545 are also included in “Attachment B” allocated by Member Agency.

Other Program Expenses for RY 9 - \$1,127,511

The final component of the RY 9 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 RY 9 Revenue Requirement (Authority-wide for all Member Agencies) is \$66,358,350.

As shown on Line 9 of Attachment “B”, the adjusted prior year revenues are \$61,818,926, for a projected Authority-wide revenue shortfall (before RY 9 rate adjustment) of \$4,539,424 (Line 10).

Through discussions with each Member Agency, the following maximum rate adjustments are proposed effective March 1, 2023 (Table 2).

Attachment “C” projects the available reserves at the end of RY 9.

Table 2 - Summary of Maximum Rate Adjustments

	Danville	Lafayette	Moraga	Orinda	Walnut Creek	County
Residential	8.00%	5.50%	6.27%	5.05%	5.39%	4.80%
Multi-Family	8.00%	5.50%	6.27%	5.05%	5.39%	4.80%
Commercial	8.00%	5.50%	6.27%	5.05%	5.39%	4.80%
Debris Box	8.00%	5.50%	6.27%	5.05%	5.39%	4.80%
Miscellaneous*	3.68%	3.68%	3.68%	3.68%	3.68%	3.68%

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 Agency’s 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	\$95.55	Weekly	Weekly
El Cerrito	\$60.13	Weekly	Weekly
Orinda *	\$59.47	Weekly	Weekly
Kensington	\$49.04	Weekly	2x per month
Richmond	\$45.20	Weekly	Weekly
Moraga *	\$44.55	Weekly	Weekly
Hercules	\$43.65	Weekly	Weekly
San Ramon	\$42.05	Weekly	Weekly
Lafayette *	\$41.69	Weekly	Weekly
Livermore	\$40.63	Weekly	Weekly
Pinole	\$40.63	Weekly	Weekly
West CC County	\$40.11	Weekly	Weekly
Martinez	\$38.80	Weekly	Weekly
Concord	\$38.57	Weekly	Weekly
Dublin	\$38.39	Weekly	Weekly
San Pablo	\$36.86	Weekly	Weekly
Danville *	\$35.86	Weekly	Weekly
County *	\$32.34	Weekly	Weekly
Pleasant Hill	\$31.66	Weekly	Weekly
Brentwood	\$29.77	Bi-weekly	Bi-weekly
Walnut Creek *	\$28.18	Weekly	Weekly

* Reflects 2023 proposed rates; all other rates are subject to increases during 2023

ATTACHMENTS

- A. Proposed Rates for each Member Agency
- B. RY 9 Revenue Requirement Surplus/(Shortfall)
- C. RY 9 Projected End-of-Year Reserves
- D. Resolution No. 2023-03 – Maximum Rates for RY 9
- E. FAQs for 2023 Rates
- F. RecycleSmart Programs and Services
- G. RecycleSmart Rate History
- H. Residential Rate Comparison

Residential RY9 Rates (\$/month)

(rates effective March 1, 2023)

<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	42.43	42.43	42.43	42.43	42.43	42.43	42.43	42.43
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*)	53.03	53.03	53.03	53.03	53.03	53.03	53.03	53.03
On-Call Recyclables or Organics Pick-ups Per Bag / Bundle (beyond 4x/year**)	15.90	15.90	15.90	15.90	15.90	15.90	15.90	15.90
On-Call E-Waste Materials Pick-ups*** Per Pick-Up	53.03	53.03	53.03	53.03	53.03	53.03	53.03	53.03
Account Restart - Per Occurrence:								
· Re-Drop Fee: If cart removed and re-delivered	53.03	53.03	53.03	53.03	53.03	53.03	53.03	53.03
· Admin Fee : If cart not physically removed from service location	15.90	15.90	15.90	15.90	15.90	15.90	15.90	15.90

* 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

Commercial RY9 Rates (\$/month)

(rates effective March 1, 2023)

<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	30.67	31.44	43.60	42.18	66.33	36.83
32-gal cart	2/week	61.37	62.85	87.17	84.31	132.63	73.66
32-gal cart	3/week	92.05	94.32	130.78	126.47	198.89	110.47
32-gal cart	4/week	122.71	125.76	174.36	168.58	265.20	147.28
32-gal cart	5/week	153.41	157.16	217.93	210.74	331.52	184.12
64-gal cart	1/week	61.37	62.85	83.56	84.31	132.63	73.66
64-gal cart	2/week	122.71	125.76	167.12	168.58	265.20	147.28
64-gal cart	3/week	184.09	188.61	250.69	252.91	397.86	220.93
96-gal cart	1/week	92.05	94.32	121.75	126.47	198.89	110.47
96-gal cart	2/week	184.09	188.61	243.45	252.91	397.86	220.93
96-gal cart	3/week	276.15	282.88	365.21	379.36	596.73	331.39
96-gal cart	4/week	368.15	377.19	486.91	505.80	795.60	441.85
96-gal cart	5/week	460.24	471.45	608.66	632.24	994.54	602.99
96-gal cart	6/week	552.28	565.90	730.45	758.87	1,193.41	723.60
Bin Service							
		-	-	-	-	-	-
1 Yard	1/week	194.55	202.69	260.79	258.33	345.99	138.07
1 Yard	2/week	389.15	405.36	521.57	516.66	692.04	276.17
1 Yard	3/week	583.67	608.05	782.34	775.02	1,038.04	452.25
1 Yard	4/week	778.26	810.76	1,043.11	1,033.32	1,384.02	602.99
1 Yard	5/week	972.82	1,013.45	1,303.89	1,291.69	1,730.03	753.76
1 Yard	6/week	1,167.39	1,216.10	1,564.70	1,550.01	2,076.08	904.49
2 Yard	1/week	389.15	405.36	509.20	516.66	692.04	276.17
2 Yard	2/week	778.26	810.76	1,018.40	1,033.32	1,384.02	602.99
2 Yard	3/week	1,167.39	1,216.10	1,527.61	1,550.01	2,076.08	904.49
2 Yard	4/week	1,556.50	1,621.48	2,036.79	2,066.71	2,768.08	1,205.97
2 Yard	5/week	1,945.64	2,026.83	2,546.01	2,583.34	3,460.09	1,507.49
2 Yard	6/week	2,334.76	2,432.26	3,055.22	3,100.03	4,152.14	1,808.98
3 Yard	1/week	583.67	608.05	752.38	775.02	1,038.04	452.25
3 Yard	2/week	1,167.39	1,216.10	1,504.77	1,550.01	2,076.08	904.49
3 Yard	3/week	1,751.06	1,824.17	2,257.16	2,325.05	3,114.11	1,356.72
3 Yard	4/week	2,334.76	2,432.26	3,009.55	3,100.03	4,152.14	1,808.98
3 Yard	5/week	2,918.46	3,040.29	3,761.94	3,875.05	5,190.18	2,261.22
3 Yard	6/week	3,502.15	3,648.35	4,514.30	4,650.06	6,228.21	2,713.46

Commercial RY9 Rates (\$/month)

(rates effective March 1, 2023)

<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	778.26	810.76	1,003.18	1,033.32	1,384.02	602.99
4 Yard	2/week	1,556.50	1,621.48	2,006.35	2,066.71	2,768.08	1,205.97
4 Yard	3/week	2,334.76	2,432.26	3,009.55	3,100.03	4,152.14	1,808.98
4 Yard	4/week	3,113.02	3,242.99	4,012.73	4,133.37	5,536.19	2,411.96
4 Yard	5/week	3,891.26	4,053.73	5,015.93	5,166.73	6,920.25	3,014.94
4 Yard	6/week	4,669.56	4,864.44	6,019.12	6,200.05	8,304.23	3,617.91
5 Yard	1/week	972.82	1,013.44	1,253.97	1,291.68	1,730.03	753.75
5 Yard	2/week	1,945.64	2,026.83	2,507.94	2,583.34	3,460.09	1,507.49
5 Yard	3/week	2,918.46	3,040.29	3,761.94	3,875.05	5,190.18	2,261.22
5 Yard	6/week	5,836.92	6,080.57	7,523.88	7,750.10	10,380.28	4,522.42
6 Yard	1/week	1,167.39	1,216.10	1,473.39	1,550.01	2,076.08	904.49
6 Yard	2/week	2,334.76	2,432.26	2,946.79	3,100.03	4,152.14	1,808.98
6 Yard	3/week	3,502.15	3,648.35	4,420.20	4,650.06	6,228.21	2,713.46
6 Yard	4/week	4,669.56	4,864.44	5,893.61	6,200.05	8,304.23	3,617.91
6 Yard	5/week	5,836.92	6,080.57	7,367.00	7,750.10	10,380.28	4,522.42
6 Yard	6/week	7,004.29	7,296.71	8,840.38	9,300.10	12,456.38	5,426.95
8 Yard	1/week	1,556.50	1,621.48	1,964.55	2,066.71	2,768.08	1,205.97
8 Yard	2/week	3,113.02	3,242.99	3,929.06	4,133.37	5,536.19	2,411.96
8 Yard	3/week	4,669.56	4,864.44	5,893.61	6,200.05	8,304.23	3,617.91
8 Yard	4/week	6,226.06	6,485.96	7,858.11	8,266.71	11,072.32	4,823.94
8 Yard	5/week	7,782.54	8,107.40	9,822.65	10,333.44	13,840.45	6,029.89
8 Yard	6/week	9,339.07	9,728.91	11,787.19	12,400.13	16,608.52	7,235.89
10 Yard	1/week	1,945.64	2,026.83	2,448.53	2,583.34	3,460.09	1,507.49
Compactor Rates		-	-	-	-	-	-
1.5 Yd Compactor	Per Lift	134.70	150.14	186.28	182.23	223.46	91.08
1.5 Yd Monthly Fee	1/week	583.66	650.53	807.13	789.63	968.25	394.68
1.5 Yd Monthly Fee	2/week	1,167.35	1,301.04	1,614.27	1,579.34	1,936.47	861.72
1.5 Yd Monthly Fee	3/week	1,749.93	1,951.95	2,419.66	2,367.48	2,902.74	1,292.60
1.5 Yd Monthly Fee	4/week	2,333.20	2,602.58	3,226.26	3,156.59	3,870.30	1,723.47
1.5 Yd Monthly Fee	5/week	2,918.36	3,252.60	4,035.68	3,948.38	4,841.16	2,154.33
1.5 Yd Monthly Fee	6/week	3,502.03	3,903.14	4,842.82	4,738.05	5,809.39	2,585.21
2 Yd Compactor	Per Lift	179.59	200.19	248.36	243.02	297.93	121.42
3 Yd Compactor	Per Lift	269.37	300.30	366.98	364.48	446.94	198.84
4 Yd Compactor	Per Lift	359.18	400.39	489.32	486.00	595.92	265.15
6 Yd Compactor	Per Lift	352.16	600.59	630.37	728.99	893.83	397.72

Commercial RY9 Rates (\$/month)

(rates effective March 1, 2023)

<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 *					
		42.43	42.43	42.43	42.43	42.43	42.43
Overages: Collection of Material in Excess of Bin/Cart Size	Bin Overage - Per Yard	Commercial Monthly Solid Waste One Time a Week Rate divided by 4.33 times # of yards extra *					
	Cart Overages - Per Bag (32 gal)	15.90	15.90	15.90	15.90	15.90	15.90
Additional Container Exchange	Per Cart (beyond 1x/year**)	53.03	53.03	53.03	53.03	53.03	53.03
	Per Bin (beyond 1x/year**)	159.09	159.09	159.09	159.09	159.09	159.09
Purchase and Delivery of Replacement Lock	Per Occurrence	26.51	26.51	26.51	26.51	26.51	26.51
Container Replacement (Missing / Stolen / Destroyed - due to fire)	Per Occurrence (beyond 1x/year***)	Market Rate of Missing Bin/Cart					
Push/Pull Bin or Cart (SW, Recy, FW, and Org)							
Distance 26' - 50' ****	Per Container Per Push	17.97	17.97	17.97	17.97	17.97	17.97
Distance 51' - 10'	Per Container Per Push	35.95	35.95	35.95	35.95	35.95	35.95
Distance 101'+	Per Container Per Push	53.92	53.92	53.92	53.92	53.92	53.92

* See Attachment A for applicable RY9 rate

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

*** Courtesy - one time no charge

**** First 25' at no additional charge. 25' to truck + 25' back to set out location.

Multi-family RY9 Rates (\$/month)

(rates effective March 1, 2023)

<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	29.40	34.39	40.67	41.67	54.78	27.62
32-gal cart	2/week	58.71	68.74	81.33	83.33	109.50	55.25
32-gal cart	3/week	88.11	103.14	121.99	124.99	164.31	82.85
32-gal cart	5/week	146.85	171.89	203.34	208.28	273.87	138.07
64-gal cart	1/week	58.71	68.74	81.33	83.33	109.50	55.25
64-gal cart	2/week	117.49	137.53	162.67	166.62	219.11	110.46
64-gal cart	3/week	176.22	206.25	244.01	249.95	328.61	165.68
96-gal cart	1/week	88.11	103.14	121.99	124.99	164.31	82.85
96-gal cart	2/week	176.22	206.25	244.01	249.95	328.61	165.68
96-gal cart	3/week	264.32	309.38	365.99	374.91	492.96	248.56
96-gal cart	4/week	352.38	412.48	487.99	499.89	657.27	331.39
96-gal cart	5/week	440.51	515.60	609.98	624.85	821.54	414.25
Bin Service							
		-	-	-	-	-	-
1 Yard	1/week	200.23	221.64	240.52	254.14	287.21	112.76
1 Yard	2/week	400.46	443.33	481.05	508.27	574.50	225.55
1 Yard	3/week	600.70	664.97	721.55	762.36	861.69	338.32
1 Yard	4/week	800.94	886.65	962.07	1,016.53	1,148.90	451.09
1 Yard	5/week	1,001.22	1,108.27	1,202.59	1,270.64	1,436.16	563.87
1 Yard	6/week	1,201.44	1,329.94	1,443.13	1,524.79	1,723.39	676.64
2 Yard	1/week	400.46	443.33	481.05	508.27	574.50	225.55
2 Yard	2/week	800.94	886.65	962.07	1,016.53	1,148.90	451.09
2 Yard	3/week	1,201.44	1,329.94	1,443.13	1,524.79	1,723.39	676.64
2 Yard	4/week	1,601.88	1,773.24	1,924.13	2,033.03	2,297.84	902.21
2 Yard	5/week	2,002.38	2,216.57	2,405.19	2,541.29	2,872.28	1,127.75
2 Yard	6/week	2,402.83	2,659.88	2,886.24	3,049.55	3,446.73	1,353.30

Multi-family RY9 Rates (\$/month)

(rates effective March 1, 2023)

<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	600.70	664.97	721.55	762.36	861.69	338.32
3 Yard	2/week	1,201.44	1,329.94	1,443.13	1,524.79	1,723.39	676.64
3 Yard	3/week	1,802.13	1,994.92	2,164.67	2,287.12	2,585.07	1,014.98
3 Yard	4/week	2,402.83	2,659.88	2,886.24	3,049.55	3,446.73	1,353.30
3 Yard	5/week	3,003.59	3,324.83	3,607.77	3,811.95	4,308.45	1,691.64
3 Yard	6/week	3,604.31	3,989.81	4,329.32	4,574.30	5,170.13	2,029.93
4 Yard	1/week	800.94	886.65	962.07	1,016.53	1,148.90	451.09
4 Yard	2/week	1,601.88	1,773.24	1,924.13	2,033.03	2,297.84	902.21
4 Yard	3/week	2,402.83	2,659.88	2,886.24	3,049.55	3,446.73	1,353.30
4 Yard	4/week	3,203.82	3,546.47	3,848.29	4,066.06	4,595.63	1,804.41
4 Yard	5/week	4,004.76	4,433.14	4,810.36	5,082.56	5,744.55	2,255.51
4 Yard	6/week	4,805.72	5,319.75	5,772.44	6,099.09	6,893.49	2,706.60
6 Yard	1/week	1,201.44	1,329.94	1,443.13	1,524.79	1,723.39	676.64
6 Yard	2/week	2,402.83	2,659.88	2,886.24	3,049.55	3,446.73	1,353.30
6 Yard	3/week	3,604.31	3,989.81	4,329.32	4,574.30	5,170.13	2,029.93
6 Yard	4/week	4,805.72	5,319.75	5,772.44	6,099.09	6,893.49	2,706.60
6 Yard	5/week	6,007.17	6,649.68	7,215.55	7,623.85	8,616.83	3,383.25
6 Yard	6/week	7,208.56	7,979.62	8,658.67	9,148.61	10,340.19	4,059.95
8 Yard	1/week	1,601.88	1,773.24	1,924.13	2,033.03	2,297.84	902.21
8 Yard	2/week	3,203.82	3,546.47	3,848.29	4,066.06	4,595.63	1,804.41
8 Yard	3/week	4,805.72	5,319.75	5,772.44	6,099.09	6,893.49	2,706.60
8 Yard	4/week	6,407.64	7,093.03	7,696.59	8,132.13	9,191.28	3,608.81
8 Yard	5/week	8,009.52	8,866.26	9,620.75	10,165.16	11,489.12	4,510.99
8 Yard	6/week	9,611.46	10,639.49	11,544.89	12,198.21	13,786.90	5,413.21
10 Yard	1/week	2,002.38	2,216.57	2,405.19	2,541.29	2,872.28	1,127.75
Compactor Rates		-	-	-	-	-	-
1.5 Yd Compactor	Per Lift	138.60	153.48	166.53	175.93	198.83	78.05
2 Yd Compactor	Per Lift	184.81	204.58	222.02	234.57	265.14	104.08
3 Yd Compactor	Per Lift	277.28	306.93	333.00	351.87	397.72	156.14
4 Yd Compactor	Per Lift	369.72	409.21	444.03	469.20	530.24	208.18

Debris Box RY9 Rates (\$ per pull)

(rates effective March 1, 2023)

<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	651.66	671.81	712.53	811.29	938.33	785.42
10 Yard	Per Pull	4 Tons	930.93	959.67	1,017.87	1,158.91	1,340.48	1,122.01
12 Yard	Per Pull	4.25 Tons	1,117.16	1,151.65	1,221.46	1,390.72	1,608.58	1,346.41
14 Yard	Per Pull		1,303.35	1,343.60	1,425.01	1,622.52	1,876.64	1,570.80
15 Yard	Per Pull	5 Tons	1,396.44	1,439.55	1,526.83	1,738.43	2,010.73	1,683.00
16 Yard	Per Pull		1,489.52	1,535.58	1,628.62	1,854.32	2,144.81	1,795.24
20 Yard	Per Pull	6 Tons	1,861.91	1,919.47	2,035.79	2,317.96	2,680.93	2,244.06
25 Yard	Per Pull		2,327.38	2,399.32	2,544.68	2,897.38	3,351.17	2,805.06
30 Yard	Per Pull	8.5 Tons	2,792.87	2,879.18	3,053.62	3,476.85	4,021.45	3,366.04
32 Yard	Per Pull	9 Tons	2,979.06	3,071.12	3,257.22	3,708.67	4,289.51	3,590.43
40 Yard	Per Pull	10 Tons	3,723.80	3,838.89	4,071.50	4,635.82	5,361.92	4,488.04
			-	-	-	-	-	-
Loose Debris Boxes								
4 yard (Handy Hauler)	Per Pull		221.00	227.85	241.61	275.12	318.23	266.34
5 yard (Handy Hauler)	Per Pull		276.23	284.77	302.05	343.91	397.78	332.92
6 yard (Handy Hauler)	Per Pull		331.51	341.74	362.47	412.68	477.32	399.53
10 Yard Dirt/Concrete Box	Per Pull	4 Tons	930.93	959.67	1,017.87	1,158.91	1,340.48	1,122.01
12 Yard	Per Pull		558.57	575.85	610.74	695.36	804.27	673.23
14 Yard	Per Pull		651.66	671.81	712.53	811.29	938.33	785.42
15 Yard	Per Pull	3 Tons	698.21	719.83	763.41	869.20	1,005.36	841.54
16 Yard	Per Pull		744.75	767.77	814.31	927.20	1,072.39	897.63
20 Yard	Per Pull	4 Tons	930.93	959.67	1,017.87	1,158.91	1,340.48	1,122.01
25 Yard	Per Pull		1,163.69	1,199.64	1,272.35	1,448.73	1,675.62	1,402.54
30 Yard	Per Pull	5 Tons	1,396.44	1,439.54	1,526.83	1,738.43	2,010.73	1,683.00
40 Yard	Per Pull	6 Tons	1,861.91	1,919.47	2,035.79	2,317.96	2,680.93	2,244.06
50 Yard	Per Pull	6.75 Tons	2,327.38	2,399.32	2,544.68	2,897.38	3,351.17	2,805.06
			-	-	-	-	-	-
Miscellaneous Rates								
Dry Run / Check Box	Per Month		184.53	184.53	184.53	184.53	184.53	184.53
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

RY9 Revenue Requirement Surplus/(Shortfall)

No.	Cost	Danville	Lafayette	Moraga	Orinda	Walnut Creek	County	Total
1	Republic Compensation	\$ 9,362,830	\$ 6,362,875	\$ 3,261,584	\$ 4,660,126	\$ 15,526,164	\$ 9,693,499	\$ 48,867,077
	Member Agency Share %	19.16%	13.02%	6.67%	9.54%	31.77%	19.84%	100.00%
1a	Walnut Creek Bridge Project Costs					167,821	58,542	226,364
	Total Republic Compensation	\$ 9,362,830	\$ 6,362,875	\$ 3,261,584	\$ 4,660,126	\$ 15,693,985	\$ 9,752,041	\$ 49,093,441
	Member Agency/JPA Administrative Expenses							
2	Franchise Fees	\$ 936,283	\$ 636,287	\$ 391,390	\$ 568,535	\$ 1,552,616	\$ 678,545	\$ 4,763,657
3	Vehicle Impact Costs	868,803	1,157,742	879,003	1,269,662	1,849,099	-	6,024,309
4	MDR Recycling Payment	530,187	299,627	181,341	212,469	861,799	524,464	2,609,886
5	JPA-related Expenses	531,919	339,806	185,572	248,401	889,050	544,797	2,739,545
6	Total MA/JPA Expenses	\$ 2,867,192	\$ 2,433,463	\$ 1,637,306	\$ 2,299,068	\$ 5,152,564	\$ 1,747,806	\$ 16,137,397
	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 9 Revenue Requirement	\$ 12,493,977	\$ 8,935,840	\$ 4,980,471	\$ 7,070,840	\$ 21,115,129	\$11,762,093	\$ 66,358,350
	Prior RY 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 Reserve Increase/Decrease	(553,631)	(146,228)	(65,386)	-	-	(191,059)	(956,304)
9	Adjusted PY "Revenues"	\$ 11,228,532	\$ 8,288,288	\$ 4,686,688	\$ 6,731,197	\$ 20,034,589	\$10,849,632	\$ 61,818,926
10	RY9 Surplus/(Shortfall)*	\$ (1,265,445)	\$ (647,552)	\$ (293,783)	\$ (339,643)	\$ (1,080,540)	\$ (912,461)	\$ (4,539,424)
11	Proposed RY9 Rate Adjustment	8.00%	5.50%	6.27%	5.05%	5.39%	4.80%	

* Before proposed RY 9 Rate Adjustment.

RY9 Projected End-of-Year Reserves

No.	Cost	Danville	Lafayette	Moraga	Orinda	Walnut Creek	County	Total
1	Proposed Rate Adjustment	8.00%	5.50%	6.27%	5.05%	5.39%	4.80%	
2	6/30/22 Ending Balances	\$ 2,785,723	\$ 2,532,842	\$ 881,400	\$ 1,236,142	\$ 3,995,590	\$ 2,285,143	\$ 13,716,840
3	Recycling Contribution Allocation	178,801	101,047	61,156	71,653	290,634	176,871	880,162
4	RY8 Due To (Due From) Reserves	(553,631)	(146,228)	(65,386)	(0)	0	(191,059)	(956,304)
5	RY9 Due To (Due From) Reserves*	(367,088)	(191,696)	-	-	-	(391,679)	(950,463)
6	Projected Available Reserves for RY 10 Rates	\$ 2,043,805	\$ 2,295,964	\$ 877,169	\$ 1,307,795	\$ 4,286,224	\$ 1,879,276	\$ 12,690,235

* RY 9 rates were set to include individual Member Agencies' use of reserves or contribution to reserves.

RESOLUTION NO. 2023-03

**RESOLUTION OF THE
CENTRAL CONTRA COSTA SOLID WASTE AUTHORITY
ADOPTING RATE YEAR NINE 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 Nine are based on the Contractor’s proposed costs and operating assumptions for Rate Year Nine, which are set forth in Exhibit N of the Franchise Agreement and adjusted using a cost-based method set forth in Exhibit E of the Franchise Agreement; and

WHEREAS, the maximum rates for Rate Year Nine are also based on CCCSWA’s settlement with Contractor of its special rate request and in the interest of improving service quality and reliability for the benefit of ratepayers; and

WHEREAS, the maximum rates for Rate Year Nine will be effective March 1, 2023 through February 29, 2024, and will not be adjusted to reflect either increases or decreases in costs during Rate Year Nine; and

WHEREAS, the maximum rates for subsequent rate years will be adjusted annually using an index-based adjustment method set forth in Exhibit D of the Franchise Agreement; and

WHEREAS, the Rate Year Nine Revenue Requirement was approved by the CCCSWA Board of Directors at its meeting on this 26 day of January, 2023.

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 Nine 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 Nine shall be effective March 1, 2023 through February 29, 2024.
3. This Resolution shall take effect March 1, 2023.

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

by the following vote:

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

Renata Sos, 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



Rate Year Nine (RY 9) 2023 FAQs

When are rate increases effective?

March 1, 2023

Residents are billed quarterly as follows:

Danville and Walnut Creek – February, May, August, November

County, Lafayette, Orinda and Moraga - March, June, September and December

How much did rates increase?

The percentages below reflect the average increases of the most common service levels for residential, commercial and multifamily rates. Please see Attachment A, Rates, for all services and rates.

Additionally, the U.S. Bureau of Labor Statistics 2022 12-month percent change in the San Francisco-Oakland-Hayward, all urban consumer, CPI-U of 6% was used to calculate a portion of the rate increases.

Member Agency	Rate Increase	Residential 32-gal Cart	Commercial 2 CY Bin, 1x/wk
Danville	8.00%	+\$2.66/month	+\$30.03/month
Lafayette	5.50%	+\$2.17/month	+\$26.55/month
Moraga	6.27%	+\$2.63/month	+\$30.48/month
Orinda	5.05%	+\$2.86/month	+\$33.27/month
Walnut Creek	5.39%	+\$1.44/month	+\$14.13/month
County	4.80%	+\$1.48/month	+\$17.82/month

RY9 Cost-Based Adjustment

RY9 is a Cost-Based Adjustment year. Every three years during the Franchise Agreement, including RY9, RecycleSmart, along with a rate setting consultant, undertakes a detailed review of the Hauler's actual costs of service for inclusion in the rates. The highest costs of service include labor, overhead, materials handling, and equipment depreciation.

In addition to the customary costs allowed in a cost-based adjustment year, RY9 will also include costs for:

1. COVID leave impacts
2. SB 1383 organics processing
3. Walnut Creek bridge project (impacts only Walnut Creek and County rates)

Franchise Agreement Extension with Republic Services

Over the past year, RecycleSmart and Republic Services have worked together to identify the service deficiencies reported by community members, and have negotiated a two-year extension through 2027 with terms intended to resolve those complaints. Some of the costs in RY10 (2024) - RY12 (2027) are conditioned on demonstrated improvements in service quality and reliability. RecycleSmart does monitor service issues and has assessed liquidated damages, the enforcement mechanism currently in the Franchise Agreement, and has required Republic Services to provide credits to customers for service delays. Included with these remedies, RecycleSmart will now also use missed collections data reported to Republic Services as a condition for approval of certain future costs allowed in the rate adjustments for RY10 – RY12. RecycleSmart will also monitor reports of missed collections to the Member Agencies and to RecycleSmart, and open route data, when assessing performance.

Why is RecycleSmart entering into a two-year extension with Republic Services?

RecycleSmart's current Franchise Agreement with Republic Services includes the option for RecycleSmart to exercise a two-year extension of the Agreement. It is significantly more cost efficient for RecycleSmart to exercise this option than to go out to bid. Prior to the pandemic, the hauler consistently met its Franchised service requirements. During negotiations regarding the extension, RecycleSmart prioritized measures that would ensure service quality and reliability. RecycleSmart and Republic Services agreed to terms that are intended to provide all needed service improvements.

The next franchising process will begin in 2023, which allows the Agency time to arrange for services that are the best value for ratepayers prior to implementation in 2027.

Credits for Missed Collections

Effective March 1, 2023, Republic Services shall provide a credit in an amount equal to one quarter of a Subscriber's monthly bill for each call from the Subscriber (or CCCSWA staff on behalf of the Subscriber) to Republic Services resulting from a failure to collect one or more Franchised Materials (cart or bin) that have been properly set out for collection on the scheduled collection day and not collected **by the end of the following business day**. Republic's customer service representatives are also required to be well-educated on the procedure and requirement to issue a credit for missed collections.

Residential rates include:

- Weekly single stream recycling collection,
- Weekly organics collection; yard trimmings with food scraps and uncoated food-soiled paper,
- Weekly landfill collection,
- On-call collection of yard trimmings and/or recyclables (4 combined per rate year at no additional cost),
- On-call collection of landfill materials (once per rate year at no additional cost),
- Two (2) scheduled community Reuse and Clean-up Days per year, where usable items are collected and given to people in need. The unusable items are hauled off for disposal,
- On-call used motor oil collection at the curb,
- Holiday tree collection,
- Disability on-property service,
- Household battery, cell phone and CFL collection at curb, and,
- Schools waste diversion programs, construction and demolition debris diversion, medical sharps (needles) disposal, organics diversion programs, public outreach, and other services and programs in support of reduction, reuse, recycling and diverting waste from the landfill.

Miscellaneous Rates

The miscellaneous rates, unlike the rates for the base services, are generally the same across all Member Agencies, with a 3.68% increase for RY9. Additionally, Republic Services identified a miscellaneous rate allowed in the Franchise Agreement (tiered push/pull service over 25 feet) that was not approved previously, that the RecycleSmart Board approved to include in the RY9 adjustment.

How can I lower my bill?

If you are recycling and composting properly, and not regularly filling your landfill cart or dumpster, you can downsize to a smaller size landfill cart/bin. For example, **residents** using a standard 32-gallon landfill cart can downsize to a 20-gallon landfill cart, and residents using a 64-gallon landfill cart can downsize to a 32-gallon landfill cart. **Commercial** accounts can downsize to a smaller landfill cart/dumpster *and* decrease the frequency of collection. Please remember to sort properly and request the service levels you will need.

By composting organic material at home (in your backyard or with worms), and certifying your efforts through Republic Services. Single family home residents can go to www.recyclesmart.org/certification or call (925) 685-4711. Compost Certification is \$4.50 per quarterly Republic Services bill (\$18/year).

Is there a lower service rate for seniors and/or low-income residents?

No, the RecycleSmart Board of Directors has not approved a lower rate for seniors and/or low-income residents.

Why is my garbage rate different from other neighboring RecycleSmart communities?

Different communities have different service needs because of difficulties related to terrain, different fee structures, and different residential and commercial mixes.

Is garbage service mandatory?

It is mandatory to have garbage service for occupied property within the **unincorporated** areas of Contra Costa County. Residents in those areas may, however, apply for an exemption by contacting the County's Environmental Health Division of the Health Services Department. If exempt, garbage must be removed from property a minimum of once per week.

Service for residents living in all other jurisdictions is not mandatory, however, residents not subscribing to service must self-haul or remove materials from the property a minimum of once per week, and properly divert recyclable and compostable material from the landfill. There are additional record keeping requirements for commercial and multifamily accounts that self-haul.

Residents may not use other service providers to haul garbage, recycling or organics. Those materials fall under an Exclusive Franchise Agreement with Republic Services.

RecycleSmart (Central Contra Costa Solid Waste Authority)

Who is RecycleSmart?

A government agency – a Joint Powers Authority of six Member Agencies: (1) Danville, (2) Lafayette, (3) Moraga, (4) Orinda, (5) Walnut Creek, and (6) the County.

RecycleSmart does not directly collect recyclables, organics, or landfill materials. Those services are provided by Republic Services under an Exclusive Franchise Agreement.

For questions about your recycling, organics and landfill services, or billing questions, contact Republic Services at (925) 685-4711.

Who approves maximum rates?

The RecycleSmart Board of Directors, after careful consideration of costs and expenses identified by an extensive yearly analysis performed by a third party. The Board is comprised of two elected officials from each of the six Member Agencies (City/Town Council Members or County Supervisors).

The Board process to set maximum rates begins at the September Board meeting each year, final approval is in January, and new maximum rates are effective March 1st annually. For Board of Directors meeting information please visit, www.recyclesmart.org/Board.

Where can I get more information?

Visit the RecycleSmart website at www.RecycleSmart.org, call (925) 906-1801 or email the RecycleSmart team at authority@recyclesmart.org. If you would like to provide written comment, please mail to:

RecycleSmart
Attn: Board of Directors
1850 Mt. Diablo Blvd., Suite 320
Walnut Creek, CA 94596



RecycleSmart Mission

The Central Contra Costa Solid Waste Authority (RecycleSmart) is dedicated to developing and delivering high quality, cost effective solid waste reduction, recycling, and refuse programs that provide and promote sustainability in our communities.

RecycleSmart provides solid waste services for Central Contra Costa County including the communities of Danville, Lafayette, Moraga, Orinda, Walnut Creek and some unincorporated areas of the County including, Alamo, Blackhawk and Diablo. RecycleSmart holds the Exclusive Franchise Agreements with Republic Services for collection and transfer of all three streams (organics, recycling and landfill) from all sectors, and organics processing and landfill disposal, and with Mt. Diablo Resource Recovery (MDRR) for the processing of all recyclable materials, the Reuse Day Program and Retail Battery Collection Program Services.

Programs and Services

Single Family:

- Weekly recycling, organics (including yard trimmings, food scraps and uncoated food-soiled paper) and landfill (garbage) service
- Kitchen food scrap container available at no additional cost every two years
- Weekly household battery collection at the curb
- Weekly Compact Fluorescent Lightbulb and cell phone collection at the curb
- On-call motor oil and filter collection at the curb
- Bi-annual Reuse & Cleanup Days Program, where usable items are donated to people in need
- One (1) annual on-call landfill-only service at no additional cost
- Four (4) annual on-call recycling and/or organics services at no additional cost
- Disability on-property service at no additional cost
- Holiday tree collection
- On-call curbside electronics and other bulky items services for a fee

Multifamily:

- Weekly (and as needed) recycling, organics (including yard trimmings, food scraps and uncoated food-soiled paper) and landfill (garbage) service
- Food scrap container at no additional cost every two years (by request from account holder)
- Multifamily reusable recycling tote bag at no additional cost (by request from account holder)
- Holiday tree collection
- Free battery recycling drop-off at local retailers
- On-call curbside electronics and other bulky items services for a fee

Commercial:

- Weekly (and as needed) recycling, organics (including food scraps and uncoated food-soiled paper) and landfill service
- Commercial Food-to-Energy Program (Food Recycling Project) in partnership with EBMUD

- Free battery recycling drop-off at local retailers
- Food donation outreach and assistance
- Five (5) Recycling Coordinators (with Republic Services) for technical assistance and outreach (including multifamily properties)

Community Services:

- Participation, outreach and collection services for community events (collection fee may apply to some events)
- Community event “Clear Stream” recycling, organics, and landfill containers at no additional cost
- Participation at Chamber, Sustainability, City/Town and community group meetings and events
- City/Town collection services including recycling, organics and landfill at no additional cost (including street, park, City/Town Hall and more)
- Bi-annual Mini grant (community funding) for projects, events and services that increase and promote waste prevention and diversion (first come basis upon approval) in partnership with Republic Services
- Bi-annual Recycling Pledge in partnership with Republic Services
- Compost Giveaways in partnership with Republic Services
- Annual Food Drive (in partnership with the local Food Bank and youth Scouts)

Diversions Programs and Services:

- Construction and Demolition (C&D) debris management including Green Halo software for City/Town tracking, hauler permits, and regional facility certification
- Legislative advocacy
- Participation in local, regional, statewide and nationwide industry efforts focusing on waste prevention, product stewardship, zero waste, sustainability and diversion
- FEMA-approved Disaster Debris Management Plan in partnership with Member Agencies
- Annual rate setting with Member Agencies and Republic Services
- Franchise Agreement management and oversight
- State Law compliance including AB 939, SB 1383, AB 341, AB 1826, AB 827 and AB 1826
- Required annual reporting to CalRecycle
- K-12 Zero Waste Schools Program including, training, education, WasteBuster Awards, assemblies, field trips, zero waste assistance, food donation outreach, share tables, custodial support, bin audits, supplies, scholarships and more
- Home composting outreach including free workshops, reduced fee compost bins, CompostSMART community volunteer and outreach training, Compost in the Classroom, and Republic Services bill certification and reduction
- Medical sharps disposal boxes located at City Hall, Police and Fire at no additional cost
- Outreach and education including RecycleSmart quarterly newsletter, website, social media, service guides, posters, local advertising, Republic Services truck signs, direct mail and more



(925) 906-1801

authority@recyclesmart.org



RecycleSmart Rate History

Rate Year	County	Danville	Lafayette	Moraga	Orinda	Walnut Creek
Prior to 1994	\$21.75	\$21.75	\$26.69	\$22.94	\$ 25.63	\$22.31
1994-1996	17.40	17.40	21.35	18.35	20.50	17.85
3/1/1996	13.15	11.50	13.55	13.15	15.20	11.79
3/1/1997	13.15	12.19	13.55	13.65	15.80	11.79
3/1/1998	13.15	12.19	13.55	13.65	15.80	11.79
3/1/1999	13.15	12.19	14.36	14.47	15.80	11.79
3/1/2000	13.15	12.19	14.36	14.47	15.80	11.79
3/1/2001	14.49	13.19	15.08	15.19	17.70	11.79
3/1/2002	15.90	14.84	16.36	15.19	19.82	12.38
3/1/2003	15.90	15.90	16.36	16.66	19.82	12.38
3/1/2004	15.90	15.90	16.36	16.66	19.82	12.38
3/1/2005	15.90	15.90	16.36	16.66	19.82	12.38
3/1/2006	16.35	16.35	17.18	18.33	19.82	13.37
3/1/2007	16.35	16.35	19.59	19.03	22.00	13.37
3/1/2008	17.49	16.35	19.83	19.98	25.23	15.00
3/1/2009	18.32	17.00	21.62	20.82	27.35	15.90
3/1/2010	18.87	17.85	23.57	21.65	28.01	17.00
3/1/2011	19.81	19.81	24.98	23.60	30.75	17.80
3/1/2012	21.00	21.81	26.48	23.84	31.60	18.80
3/1/2013	21.55	23.81	26.74	24.46	32.52	19.29
3/1/2014	22.20	24.71	27.70	26.66	33.10	19.79
3/1/2015	23.09	25.81	30.20	29.30	35.75	21.57
3/1/2016	23.62	26.71	30.20	29.98	36.57	22.07
3/1/2017	24.09	27.45	32.47	30.81	38.03	22.07
3/1/2018	25.05	28.00	34.74	32.26	41.74	22.84
3/1/2019	26.05	28.84	35.86	35.40	45.58	23.64
3/1/2020	27.87	31.15	37.29	38.50	51.05	24.94
3/1/2021	29.82	32.55	38.94	41.10	54.50	26.12
3/1/2022	30.86	33.20	39.52	41.92	56.61	26.74
3/1/2023	32.34	35.86	41.69	44.55	59.47	28.18

Rates are for one residential 32-gallon Landfill cart, plus Recycling and Organics, collected weekly.

- No Franchise Agreement
- First Franchise Agreement
- Second Franchise Agreement
- Third (Current) Franchise Agreement



Residential Rate Comparison

Proposed RY9 (2023): 32-gallon Landfill Cart

Jurisdiction	32-gal. \$/Mo.	Recycling Frequency	Yard Waste Frequency
Piedmont	\$95.55	Weekly	Weekly
El Cerrito	\$60.13	Weekly	Weekly
Orinda *	\$59.47	Weekly	Weekly
Kensington	\$49.04	Weekly	2x per month
Richmond	\$45.20	Weekly	Weekly
Moraga *	\$44.55	Weekly	Weekly
Hercules	\$43.65	Weekly	Weekly
San Ramon	\$42.05	Weekly	Weekly
Lafayette *	\$41.69	Weekly	Weekly
Livermore	\$40.63	Weekly	Weekly
Pinole	\$40.63	Weekly	Weekly
West CC County	\$40.11	Weekly	Weekly
Martinez	\$38.80	Weekly	Weekly
Concord	\$38.57	Weekly	Weekly
Dublin	\$38.39	Weekly	Weekly
San Pablo	\$36.86	Weekly	Weekly
Danville *	\$35.86	Weekly	Weekly
County *	\$32.34	Weekly	Weekly
Pleasant Hill	\$31.66	Weekly	Weekly
Brentwood	\$29.77	Bi-weekly	Bi-weekly
Walnut Creek *	\$28.18	Weekly	Weekly

*2023 RecycleSmart rates; all other rates are subject to increases during 2023



Agenda Report

TO: CCCSWA BOARD OF DIRECTORS
FROM: DAVID KRUEGER, EXECUTIVE DIRECTOR
DATE: JANUARY 26, 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

February 23 Board Meeting / Retreat

- Thursday, February 23, 2023 noon – 5:00 p.m.
- Location: Hacienda De Las Flores, 2100 Donald Drive, Moraga
- Lunch will be provided
- An outside facilitator will assist with the retreat. The agenda will include:
 - Update on Diversion Programs
 - “Franchise 101”: First in a series on drafting new franchise agreements and procurement process (RFP, sole source negotiations) options.
 - Annual Goal Setting. To begin this process staff will distribute electronic survey to Board Members for completion prior to the retreat.

Completed and Ongoing Activities in January 2023

- Bi-weekly Franchise meeting with Republic Services. Staff 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 January meetings were focused on efforts to reduce missed/late pick-ups, outreach plans, and the new extension requirements.
- Monthly Member Agency Liaison Meeting. Discussion topics included introduction of David Krueger, SB 1383 grant funds transfer, Tier One edible food generator inspections and paper procurement purchases and tracking. After each meeting, RecycleSmart provides follow-up meeting minutes and requests them to be circulated to appropriate Member Agency staff.
- Monthly meeting with schools programs contractor Ruth Abbe & Associates. Discussion topics included updates on the internship program, food share, requirements for food donation, challenges with reusables and school food contractor, and ideas for getting more accurate measurements from schools.
- Staff is working with Saint Mary's College, Mt. Diablo Resource Recovery and Republic Services to improve student and faculty move-in and move-out reuse and waste diversion practices and outreach materials.
- Staff is working with Republic Services to update the residential services guide. The guide will be mailed to all single-family households prior to March 1.
- The US Environmental Protection Agency (EPA) announced the availability of \$100 million in grants for recycling infrastructure and recycling education and outreach projects (of this, \$30 million is available for recycling education and outreach). Grant submissions are due by February 15, 2023. Staff is determining the feasibility of an education and outreach project grant proposal.
- At the November 2022 annual construction and demolition (C&D) meeting with Member Agency staff, we discussed following up with information about deconstruction and reuse of building materials. Staff is working towards an additional C&D update meeting this spring to provide industry best practices and hear from regional speakers implementing these programs.
- The first in-person composting workshop post-pandemic is scheduled for April 1, 2023 at the Moraga Library. These workshops demonstrate easy home composting methods as well as best practices using the green organics cart and proper sorting to reduce contamination. The RecycleSmart website is updated and registrations are already being accepted. Staff is scheduling additional 2023 workshops throughout the service area.

SB 1383 Completed and Ongoing Activities in January 2023

- On January 18, RecycleSmart and Republic Services staff gave a presentation on our multi-family organics and recycling programs at a statewide CalRecycle SB 1383 training webinar. CalRecycle invited RecycleSmart to present about our SB 1383-compliant multi-family programs as an example for other jurisdictions.
- The FY 2022-23 State Budget provides 180 million for local assistance grants to improve organic waste infrastructure. CalRecycle staff has earmarked \$81 million of the \$180 million to help local jurisdictions implement Senate Bill 1383 by funding facility infrastructure projects including anaerobic digestion, composting pre-processing and in-vessel composting projects. Some or all of the remaining budget will become available to local government for other forms of SB 1383 assistance. Through conversations with CalRecycle staff, RecycleSmart staff has learned that CalRecycle is still determining how the grant program for the remaining money will be structured. Staff submitted a letter to CalRecycle pertaining to our experience with the previous round of grant funding and the burden it placed on our member agencies. We requested that CalRecycle develop a way for our agency to apply as a single entity.
- CalRecycle updated its SB 1383 Education and Outreach Resources website page: www.calrecycle.ca.gov/organics/slcp/education/. The page includes model tools and outreach from some jurisdictions throughout the state, including three developed by RecycleSmart:
 1. Edible Food Donation Brochure
 2. Edible Food Donation Requirements Flyer
 3. Model Food Donor Agreement
- Contra Costa Health Services (CCHS) completed six Tier 1 Commercial Edible Food Generator inspections. More outreach and education is needed for some Tier 1 generators to be in compliance by January 1, 2024 (enforcement deadline). CCHS will complete all initial Tier 1 inspections this fiscal year.
- RecycleSmart mailed SB 1383 notification letters to all accounts in the following sectors: commercial, multifamily, schools, and Tier 1 and Tier 2 Commercial Edible Food Generators.
- Staff is working with the City of Walnut Creek to update the special event permitting process to include SB 1383 requirements and other general updates. Staff is looking into other Member Agency event permitting processes to make updates as needed.

Staff participated in or attended the following meetings and events in January 2023

- Bay Area Recycling Outreach Coalition meeting, January 10
- Orinda Mayor's Community Liaison meeting, January 10
- CPSC Policy and Education Monthly Meeting, January 12
- Lafayette Environmental Task Force meeting, January 12
- CA Product Stewardship Council Policy and Education Advisory Committee, January 12

- Moraga Liaison Meeting, January 13
- Bay Area Edible Food Recovery Network meeting, January 17
- Contra Costa County AB 939 meeting, January 17
- Presenter, CalRecycle “SB 1383 Chat with CalRecycle” statewide meeting with a focus on multifamily recycling and composting best practices, January 18
- Alameda County Recycling Market Network meeting, January 19
- California Organics Recycling Council meeting, January 20
- Zero Waste Now Regional Local Government meeting, January 24
- US Composting Council conference, January 24-26



Future Agenda Items

TYPE	BOARD MEETING: 02/23/2023 – (IN-PERSON 12 pm - 5 pm)
C	Receive Fiscal Year 2021-22 Financial Statements and Independent Auditor’s Report
C	Receive Fiscal Year 2022-23 Mid-Year Budget Report
C	Approve 01/26/2023 Board Meeting Minutes
P	RecycleSmart’s Recycling Diversion Programs
P	RecycleSmart’s Annual Goal Setting

TYPE	BOARD MEETING: 03/23/2023 (IN-PERSON)
C	Approve 02/23/2023 Minutes
A	Elect Chair and Vice Chair for 2023-24
A	Resolution Recognizing Renata Sos as Chair for 2022-23
A	2023 Legislation Bills and Recommendations
A	Consideration of Updating the Vehicle Refuse Impact Studies
I	Executive Director’s Monthly Report

TYPE	BOARD MEETING: 04/27/2023 (IN-PERSON)
C	Approve 03/23/2023 Minutes
A	2023-24 Operations and Reuse Budgets
I	Executive Director’s Monthly Report

TYPE

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



Agenda Report

TO: CCCSWA BOARD OF DIRECTORS
FROM: RENATA SOS, BOARD CHAIR
DAVID KRUEGER, EXECUTIVE DIRECTOR
DATE: JANUARY 26, 2023

SUBJECT: 2023 STANDING COMMITTEES

PERSONNEL COMMITTEE

Matt Francois, Chair
Ken Carlson
Teresa Gerringer
Renee Morgan
Janet Riley
Renata Sos

LEGISLATIVE COMMITTEE

Newell Arnerich, Chair
Candace Andersen
Teresa Gerringer
Kerry Hillis
Janet Riley
Cindy Silva

FINANCE AND ADMINISTRATION COMMITTEE

Inga Miller, Chair
Candace Andersen
Newell Arnerich
Gina Dawson
Cindy Silva
Renata Sos