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BOARD OF DIRECTORS REGULAR MEETING

AGENDA

AUGUST 27, 2026 – 3:00 P.M.

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

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

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

   Please fill out a speaker card and hand to Board Secretary. The Chair will call on you and when addressing the Board, please state your name, company and/or address for the record. There is a three-minute limit to present your information. (The Board Chair may direct questions to any member of the audience as appropriate at any time during the meeting.)

3. **CONSENT ITEMS**

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

   a. Approve Minutes of the Regular Board Meeting on May 28, 2026*
   b. Approve payment of $238,632.90 to City of Lafayette for the items listed in Attachment A, in accordance with the Use of Authority Funds Allocated to Member Agencies Policy*

4. **PRESENTATION ITEMS**

   a. Annual Schools Program Report
   Ruth Abbe, Schools Program Coordinator

   b. Implementation Plan for New Agreements*
   David Krueger, Executive Director, RecycleSmart

c. Implementation of Garbage Overage Charges for Single-Family Homes*
David Krueger, Executive Director, RecycleSmart

5. INFORMATION ITEMS

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

6. BOARD COMMUNICATIONS AND ANNOUNCEMENTS

7. 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 RecycleSmart Board Secretary at least one week prior to a regularly scheduled Board meeting date. If you are unable to do this, you may make an announcement to the Board of your concern under PUBLIC COMMENTS. Matters brought up which are not on the agenda may be referred to staff for action or calendared on a future agenda.

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 dba RecycleSmart to offer its public meetings in a manner that is readily accessible to everyone, including those with disabilities. If you are disabled and require special accommodations to participate, please contact RecycleSmart Board Secretary at least 48 hours in advance of the meeting at (925) 906-1801.

REGULAR BOARD MEETING OF THE
CENTRAL CONTRA COSTA SOLID WASTE AUTHORITY
HELD ON JUNE 25, 2026

The regular Board Meeting of the Central Contra Costa Solid Waste Authority's (CCCSWA's), aka RecycleSmart, Board of Directors convened at Walnut Creek City Hall, 3rd Floor Conference Room, 1666 North Main Street, City of Walnut Creek, Contra Costa County, State of California, on June 25, 2026. Chair Cindy Silva called the meeting to order at 3:00 P.M. ***In Memory of Sue McNulty Rainey, former Mayor of the City of Walnut Creek and the Town of Moraga and past RecycleSmart Board member who passed away on June 17, 2026.***

PRESENT:	Board Members:	Candace Andersen
		Newell Arnerich
		Ken Carlson
		Darlene Gee
		Lisa Maglio*
		John McCormick
		Renee Morgan, Vice Chair
		Janet Riley*
		Cindy Silva, Chair
		Steve Woehleke
		*Arrived after Roll Call
ABSENT:	Board Members:	Matt Francois
		Stella Wotherspoon

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

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

Chair Silva explained that Sue McNulty Rainey's legacy affected the CCCSWA because she was not only the Mayor of Walnut Creek but a member of its City Council from 1997 to 2010, and three times Mayor; a founding member and the Mayor of the Moraga Town Council; served on the Central Contra Costa Sanitary District (CCCSD), and in that role in 1990 the CCCSD established the CCCSWA and ran its Joint Exercise of Powers Agency (JEPA); and she also served as one of the founding members of the CCCSWA Board of Directors.

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. CONSENT ITEMS

a. Approve Minutes of the Regular Board Meeting on May 28, 2026

b. Approve Payment of $1,339.34 to City of Lafayette for the Items Listed in Attachment A (to the staff report dated June 25, 2026), in Accordance with the Use of Authority Funds Allocated to Member Agencies Policy

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

MOTION by Vice Chair Morgan to approve Consent Items a and b, as submitted. SECOND by Board Member Andersen.

MOTION PASSED unanimously by a voice vote.

4. PRESENTATION ITEM

a. Recology Blossom Valley Organics Processing
Rocio Garcia, Assistant General Manager

Senior Program Manager Judith Silver introduced Rocio Garcia from the Recology Blossom Valley Composting Facility, which will be RecycleSmart's Organics Processor starting in 2027, under a 10-year contract.

ROCIO GARCIA, Assistant General Manager, Recology Blossom Valley Organics Processing, reported that Recology has several facilities throughout California, along with some in Washington and Oregon, and was headquartered in San Francisco, a 100 percent employee-owned company. She identified some of the awards recently received by Recology and explained that the company had started composting about 25 years ago, and annually received about 800,000 tons of organic material between all composting facilities. The Blossom Valley facility, located in Vernalis close to Patterson and Modesto, was permitted to take in 2,000 tons of material a day and currently receives 1,200 tons a day with a mix of commercial, residential and ground green material from a number of jurisdictions, which she identified. The Authority collects approximately 270 tons per day of organics, so Recology's Blossom Valley facility has adequate capacity for our material.

With respect to the materials accepted for composting, Ms. Garcia stated Recology did not accept pet waste, glass, plastic, metal, or any materials that should go into the recycle bin or the landfill. For compostable plastic bags, she explained the facility prefers not to accept them but the contract with CCCSWA will allow compostable bags but they would then be screened out and put into the landfill. She clarified that anything organic like plants, food, soiled paper products, facial tissues, and those types of materials would be accepted by the facility.

Ms. Garcia provided a quick overview of the process that used two slow speed shredders; one for green waste and one for food waste that then go through the sort line and through an area where the recyclables, trash and bags would be extracted, and then be taken to a static pile where the material would have composted blowers to aerate the piles (Aerated static pile method). After composting, the material is put into windrows (long compost piles) to cure. The windrows are turned mechanically to provide further aeration. Then after curing, the finished material is taken to the finishing area where it is screened, tested, and then sold to farmers.

Board Member McCormick asked about the compostable bags and whether Recology accepted compostable bags from other jurisdictions as well, and Ms. Garcia reiterated that Recology preferred not to accept them at all given that the compostable bags did not break down.

Ms. Garcia added that depending on the specific contracts, most of the compostable bags were counted as contamination when the material came through and there is a load checker that checks the material in terms of volume for anything not organic. She clarified that while most of the agreements with the various jurisdictions were similar, not all included the same language as CCCSWA related to compostable bags. She also stated that contents of the compostable bags are still composted. The initial grinding and screening shreds and opens ups the bags and removes the contents, then a human sorter pulls out the bags for disposal.

Board Member Arnerich understood that the compostable bags came into the Blossom facility whether they are wanted or not and that CCCSWA specifically acknowledged that the compostable bags could not be excluded from the system. He commended the Blossom facility as being the best and asked how long from one end to the other that the raw product took to become the compostable product.

Ms. Garcia stated that typically the material would become compostable anywhere from 60 to 70 days, sometimes less, and that typical facilities required 120 days.

When asked about the future because of the contamination in response to Board Member Arnerich, Ms. Garcia explained that the question was how to educate people not to use the compostable bags that were not, in fact, compostable. She agreed it was difficult but stated that Recology worked with the jurisdictions and their customers to push that message.

Vice Chair Morgan asked about the selling of the compost and understood there were sometimes free events for residents.

Ms. Garcia stated that would depend on the customer because most of their customers were farmers and Recology sold compost on a large scale. It also provided custom blends, and for other jurisdictions, there was an SB 1383-related buyback program where Recology worked with jurisdictions to buy back the compost with the intent to give it to local farmers. She stated it was not so much the cost of the product but the freight component that was problematic.

Program Manager Silver advised that in the RecycleSmart contract, Recology would give 1,000 cubic yards a year of compost to the Authority that would help provide compost to the two giveaways and be the source of compost for the Walnut Creek Compost Hub that was available to all residents. RecycleSmart could also purchase compost from Recology to do other projects for Member Agencies locally.

Chair Silva asked about how much of what Recology received in its typical 1,200 tons was junk as opposed to what went through the process and ended up as compost, and Ms. Garcia explained it all went through the process and after the processing and screening, roughly 20 percent had to be disposed.

Chair Silva clarified with Ms. Garcia that Recology could accommodate the composting expected from RecycleSmart between the 1,200 tons it currently processed and the 2,000 tons it was permitted to process. She also asked about the cost of selling finished compost, and Ms. Garcia stated they did not sell at small scale; it was primarily commercial only and that cost could range from $5 to $10/ton, with the custom blend at a higher rate.

5. ACTION ITEM

a. Increase in Missed Pickups/Temporary Loss of Six Republic Drivers
Authorize the Executive Director to waive a one-time payment of $112,553.42 from Republic for failure to meet the service quality metric during the four-week period beginning March 2, 2026, in consideration of circumstances which affected Republic's available workforce during that period.

Executive Director David Krueger explained that about three years ago an extension of the Republic franchise had been negotiated and as part of that process Republic had asked for additional compensation. At that time, there were problems with missed pickups. With the negotiation, more compensation was allowed but the missed pickups had to be corrected and an incentive program had been created that if a specific standard was met and there were no more than 2,700 missed pickups per month Republic would get a larger rate increase the next year. Last year Republic met the standard in 11 of the 12 months and $2 million had been added to this year's rates. Given that this was the last year of the contract, there was a need to make sure that the good service was continued. This last year if that standard was not met, some of the $2 million would have to be sent back, at $112,553.42/month, known as a "clawback."

Mr. Krueger explained that this year Republic did not meet the standard during the month of March, although there were extenuating circumstances of which RecycleSmart had been notified well in advance about a federal law impacting California Department of Motor Vehicles (DMV)-issued non-domiciled commercial driver's licenses related to immigration status that was out of Republic's control, and where ultimately thousands of commercial drivers in California had lost their licenses, including six with Republic, impacting Republic's ability to have enough drivers to keep the service level up. Republic had done a number of things to rectify that situation.

Mr. Krueger recommended for the month of March 2026, that RecycleSmart would forego the clawback in the service quality metric and not take back the $112,553.42. Going forward, he understood Republic would not make the missed pickup standard in another month, but he understood that driver shortage problem had been resolved. As such, he recommended no waiver for any month after March 2026.

Board Member Woehleke asked if other agencies were able to anticipate that problem and take preventative steps ahead of time, and Mr. Krueger did not know but with respect to the situation in March, there was clear documentation that the situation affected not just the solid waste industry but the statewide trucking industry in general.

Board Member Andersen stated the problem also affected County Connection. She noted that in the current federal administration regulations had come down so quickly it was whipsawed back and forth and it was not unique to this situation. She was supportive of the waiver request given the extenuating circumstances for the one-time payment as recommended.

Board Member Arnerich did not disagree given the situation but because the Authority was government, he expressed concern that the approval of the request would set a precedent and would become the norm. He commended Republic Services' current level of service but he did not see how the Authority could approve the request because it would happen again and a precedent would be set. He was sympathetic but a system had been set up and the Board would be breaking its own rule.

While it was not Republic's fault, Board Member Arnerich suggested the situation was part of doing business. He referred to the $2 million added to Republic's rates this year and noted that the $112,553.42 represented only 5 percent of that total.

Board Member Carlson asked for a clarification of the contract and the language used in the contract.

Deborah L. Miller, CCCSWA Counsel, clarified that it was correct that Republic had pointed to the change in law provision of the 2014 Franchise Agreement as the basis for their request, and the definition of applicable law as laws having jurisdiction over the collection, transfer, transport, processing, diversion and disposal of franchise materials, which the Authority interpreted to mean applicable law regulating to the solid waste industry. She added that the law affecting commercial driver licenses was not specific to the solid waste industry; it was across all industry types and therefore was not within the scope of the applicable laws within the franchise agreement.

As to whether that ruling would set precedence, Legal Counsel Miller stated it had been determined that the very specific facts would be the basis if the Board were to choose to accept Republic's request, it would be on the immediate facts of the circumstance, and not a change in the Authority's position on the definition of applicable law. While she acknowledged the concern that could embolden Republic to make other or similar requests, her view was that would not change the legal position under the 2014 contract that would give Republic the mandatory right to receive the recovery and would not set precedence. She also clarified that the current agreement did not apply to the new contract, which had been tightened where the definition of applicable law applied only to the solid waste industry.

Board Member Riley asked whether a compromise had been considered and Mr. Krueger stated that his recommendation was a bit of a compromise given that there would be another miss in the coming month and he would not entertain another $112,553.42 clawback. He also clarified that the miss in March was about 2,900 missed pickups.

Vice Chair Morgan asked about applicable law and how far in advance Republic had been given notification that it needed to get new drivers, whether bonuses had been received for that amount of money, and whether Republic had paid the 200-some-odd customers over the 2,700 metric who had a missed pick up.

Mr. Krueger reported that all 2,900 customers who had missed pickups had received a credit.

VIC CABRERA, Republic Services, recounted the timeline of events and stated generally when a license got downgraded or suspended, the DMV would issue an Employer Pull Notice (EPN). He stated Republic was unsure of the totality of the downgrading and reported that none of the licenses had been downgraded the Saturday before that Monday and no licenses had been downgraded on

Monday, but the EPN came through on Tuesday, when six licenses had been downgraded and one had actually been revoked. He knew there would be some downgrade statewide but did not know if they would be impacted. He commented that when the situation had occurred, Republic was already down three or four drivers through natural attrition of retirements and a couple of terminations, and when the situation occurred the head count was already down from 204 to 196, on a plan of 208, and that manpower impact challenged them.

While some remediation had been done, Mr. Cabrera referred to the lead time for hiring and training drivers and stated it took 5 to 6 weeks to get a driver in the door and on the route, and he described the difficulty in finding good candidates for the industry, noting that generally bus drivers and transport drivers from smaller shops were the available candidates and none with direct garbage experience.

Mr. Cabrera appreciated the consideration, stated that Republic had done a good job buttoning up its operation and often went above and beyond the scope of the contract for customers.

Vice Chair Morgan referred to bonuses given during the month of March and asked what had been done to the customers who had missed pickups.

Mr. Cabrera stated that what had occurred was what would always occur anytime there was carryover where there would be notification of a missed pickup and the pickup would occur the next day.

As to what was described as a "bonus," Chair Silva referred to as an increase in compensation that had been contracted.

Board Member McCormick verified with Mr. Cabrera that Republic's current staff level was on track, all drivers had been trained, and the impact had been reduced completely by the beginning of June 2026.

In further response to Board Member McCormick, Mr. Cabrera explained there had been no movement with respect to the licenses that had been impacted by the immigration issue but Republic had struck an agreement with the union that allowed those affected to remain as Republic members, and if there was a change in law that allowed them to get their driver licenses again, they would be brought back to replace drivers with lesser seniority.

Board Member Riley asked about the upcoming month that was supposed to exceed the 2,700 metric, and Mr. Cabrera stated that a maintenance manager had to be released, which had impacted maintenance and truck reliability for that month and efforts had been taken to alleviate that situation. He noted they were at the very end of the life of the vehicles especially for the burro trucks, and they also had a truck fire in the yard where five to six trucks had been lost. He clarified that the recent experience was totally unrelated to the immigration issue.

Board Member Arnerich commended Republic for a job well done but he still disagreed on the payment issue.

Vice Chair Morgan stated that part of being a good company was to have a good fallback plan and she too thanked Republic for a job well done.

Vic Cabrera stated his goal was to deliver on the new contract as promised. He stated more updates would be provided.

Board Member Riley wanted to make sure that a precedence was not being set moving forward, and Chair Silva referred to Legal Counsel's statement that the action would not set a precedent for the new contract.

MOTION by Board Member Carlson to Authorize the Executive Director to waive a one-time payment of $112,553.42 from Republic for failure to meet the service quality metric during the four-week period beginning March 2, 2026, in consideration of circumstances which affected Republic's available workforce during that period. SECOND by Board Member Riley.

MOTION PASSED by the following vote:

Ayes:	Andersen, Carlson, Gee, Maglio, Morgan, Woehleke, Silva
Noes:	Arnerich, McCormick, Riley
Abstain:	None
Absent:	Francois, Wotherspoon

6. INFORMATION ITEMS

Reports provided for information only. No Board action required

a. Executive Director's Monthly Report

Executive Director Krueger stated with respect to SB 54, with the goal to reduce single-use plastic pollution and the long-term goal by 2032 that any products like single-use plastic utensils, food ware and packing in general used in California would have to be compostable and recyclable, that those regulations might be delayed given that 17 states were suing California over the law given that it interfered with interstate commerce, among other issues.

Chair Silva asked how that would affect the new franchise, and Mr. Krueger stated that it would not given that the contracts already indicated what materials would be accepted and collected.

Board Member Arnerich commended Mr. Krueger and RecycleSmart staff for doing a great job.

b. Future Agenda Items

Mr. Krueger identified the upcoming items for the next meeting agenda.

7. BOARD COMMUNICATIONS AND ANNOUNCEMENTS

There were no Board communications or announcements.

8. ADJOURNMENT

The Board adjourned at 4:02 P.M. ***In Memory of Sue McNulty Rainey***, to the regular meeting scheduled for Thursday, August 27, 2026 at 3:00 P.M. in the Walnut Creek Offices at Walnut Creek City Hall.

Respectfully submitted by:

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Janna McKay, Board Secretary
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
DATE:	AUGUST 27, 2026
SUBJECT:	**CITY OF LAFAYETTE REQUEST FOR AUTHORITY FUNDS ALLOCATED TO MEMBER AGENCIES**

SUMMARY

In accordance with the Use of Authority Funds Allocated to Member Agencies Policy, Staff is presenting City of Lafayette's request for funds from their Reserve Fund in order to pay for Big Belly Public Area Waste Containers, as described in Attachment A. The items in Attachment A meet and comply with the Policy for use of Reserve Funds. With Board approval of the request, Staff will make a payment to City of Lafayette in the amount of $238,632.90.

RECOMMENDED ACTION

1. Approve payment of $238,632.90 to City of Lafayette for the items listed in Attachment A, in accordance with the Use of Authority Funds Allocated to Member Agencies Policy.

DISCUSSION

The Use of Authority Funds Allocated to Member Agencies Policy, approved by the Board in March 2016, states that to ensure compliance with California Constitutional requirements, Diversion Incentive Fund (DIF) funds distributed to member agencies are to be used in a manner consistent with the purpose or the mission of RecycleSmart. Although member agencies are not required to seek Authority approval for specific uses of distributed Authority funds, in an effort to control the consistency of expenses to RecycleSmart's mission, each member agency seeking funds must present a formal request to the Board of Directors. Attachment A is City of Lafayette's formal request for a distribution of funds, listing the planned uses of the funds, for Board approval. An indemnification Agreement has been signed between the Authority and City of Lafayette.

ATTACHMENT

A. City of Lafayette's Withdrawal Request

RecycleSmart
Central Contra Costa Solid Waste Authority

REQUEST FOR WITHDRAWAL OF MEMBER AGENCY RESERVE FUNDS

Date of Request: June 23, 2026

Member Agency: City of Lafayette

List Item Description and Amount

Item #	Item Description	Amount
1	Bigbelly New 60-Month Renewal Agreement	215,469.90
2	Sales Tax Charges for New Agreement	23,163.00
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
Total Withdrawal Amount		**$ 238,632.90**

Board Approval Date: ____________________

Executive Director Signature: ____________________

Agenda Report

TO: CCCSWA BOARD OF DIRECTORS
FROM: DAVID KRUEGER, EXECUTIVE DIRECTOR
DATE: AUGUST 27, 2026
SUBJECT: **IMPLEMENTATION PLANS FOR NEW AGREEMENTS**

SUMMARY

This report provides an update on several high-priority tasks needed to implement the new collection and post-collection agreements, including:

- Developing new collection routes
- Notifying residents whose collection day will change (approximately 30%)
- Purchasing collection vehicles
- Upgrading Mt. Diablo Resource Recovery's transfer station permit and facility
- Performing a recyclable materials characterization study
- Adding the community of Canyon to the service area
- Selecting new SB 1383 compliance tracking software

RECOMMENDED ACTION

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

DISCUSSION

RecycleSmart staff worked with our contractors and HF&H consultants to develop detailed timelines for implementing the new services. Status and completion dates are updated regularly. The status of several high priority implementation tasks is provided in this report. The majority of these tasks were first discussed at the Board retreat on January 27, 2026.

Collection Agreement – Republic Services (Republic)

- Republic to develop new collection routes, increasing the total number of routes from 76 to 86.5, and balancing the number collections per route per day so that all routes can be completed in a 10-hour workday.

This task was started in May 2026 and will be completed in October 2026. Republic will submit the new route maps to the Authority when completed. Republic formed an internal Re-Route Committee comprised of local, area and corporate operations staff. The committee meets bi-weekly with more frequent subcommittee meetings in-between. The Committee has drafted the majority of the routes for the Automated Side Loader (ASL) trucks that will collect from most single-family homes. Over the next two weeks the Committee will obtain driver feedback on the draft ASL routes and make any needed adjustments. After the ASL routes are completed, the Committee will draft the routes for the other types of trucks: The Front-End Loaders (FEL) that primarily collect from commercial and multi-family accounts, Rear-End Loaders (REL's) that can collect extra yard trimmings and recyclables, and the smaller "Burro" trucks that collect from hard-to-serve locations.

- Identify and notify those customers who will change collection days due to re-routing.

  Republic estimates that approximately **30%** of single-family customers will change collection days beginning March 1, 2027. Republic will have the final single-family day change list completed in late September 2026. The number of day changes for multi-family and commercial customers is expected to be minor, and that list should be finalized in mid/late October 2026.

  The draft plan to notify single-family customers of their new collection days is as follows:

  - The 4th Quarter 2026 and 1st Quarter 2027 residential newsletters will each include an article about upcoming changes including potential day changes for some customers
  - A notification postcard with the new collection day mailed to each affected customer during the 1st week in February 2027
  - Second postcard mailed the last week of February 2027
  - An automated phone call to each affected customer during the last week of February, after each customer's old service day
  - A second automated phone call reminder on the day before each affected customer's new service day, on the first week that the change takes effect
  - A third automated phone call reminder on the day before each affected customer's new service day, on the second week that the change takes effect
  - An email reminder in February 2027 for those affected customers who have signed up for electronic communication

- Republic to purchase 106 new collection vehicles for the Authority's service area. All new trucks received, upfitted, and road tested prior to March 1, 2027

  The table below summarizes the status of the new collection vehicles purchased as of August 27, 2026. Some of the new trucks arrived sooner than originally expected and the Executive Director authorized Republic to put those trucks into service prior to March 1, 2027.

Truck Type	Ordered	Received	In Service
ASL	58	27	3
FEL	19	14	6
REL	5		
Burro	16		
Roll-Off	8		
Total	**106**	**41**	**9**

Republic is storing the new trucks at their Vasco Rd. Landfill outside of Livermore. The new trucks will be moved to their permanent location at Republic's truck yard at 441 Buchanan Circle in Pacheco as the new trucks are upfitted and the old trucks they are replacing are moved out. Because the total number of trucks at the Pacheco yard will increase, Republic acquired an adjacent piece of property to park additional trucks. Republic is currently working with the truck manufacturer to make some adjustments to the blades and arms on the ASL's for efficiency. Those adjustments will be made before any more ASL's are put into service.

The remainder of the trucks will be coming in continuously from August through December, with the last few burro trucks scheduled to arrive in early January.

- Republic to assign 119 drivers (90 regular, 29 pool) to the Authority's service area

  In order to assign sufficient drivers to our service area given the increased number of routes, Republic will need to hire 14 additional drivers. Republic will post those positions in mid-September, 2026. Interviews will take place in October and background / drug testing in November. Republic will train the new drivers in two or more batches starting in December.

  Republic also is hiring two additional technicians (mechanics) for our new agreement, due to the increased number of vehicles. The two new technician positions have already been posted.

- Train all drivers on the use of the new trucks

  The new ASL trucks are significantly different from the Curotto Can style front-end loader trucks that they are replacing. Therefore, the current drivers need to be trained on how to operate the new ASL's. Republic began training the current drivers on the use of the ASL's in June 2026. To date, 14 drivers have completed ASL training, and two drivers are going through training now. Republic will train approximately one-to-three drivers per week, pending trainee and trainer availability, and as more new ASL's become road-ready. The truck types other than ASL's do not need dedicated special training because the new truck styles are similar to Republic's current models.

- Train all drivers and customer service representatives on the Authority's programs, including the new/enhanced services in the 2027 agreement

  Republic is currently working on a "playbook" for their drivers and customer service representatives which details the Authority's programs, highlighting changes in the new agreement. The employees will be trained on the playbook during the fourth quarter of 2026 and the first quarter of 2027.

Transfer Station Agreement – Mt. Diablo Resource Recovery (MDRR)

- Update the State Solid Waste Facility Permit (SWFP) and Transfer/Processing Report (TPR) for MDRR's Pittsburg transfer station to allow that facility to receive and transfer the Authority's solid waste and organics.

The current TPR & SWFP limits inbound tonnage at the transfer station to 1,500 tons per day, and the facility is nearly at capacity with current tonnage, before adding the Authority's solid waste and organics. To accept the Authority's solid waste and organics, the facility will need to have a total permitted capacity of at least 2,000 tons per day. The new TPR & SWFP, which MDRR has had underway for several years, will initially allow up to 4,474 tons per day upon completion of the current phase of construction of the new organics building and related infrastructure. Ultimately, the soon-to-be-approved TPR & SWFP will allow for up to 5,000 tons per day with the build-out and construction of future phases of the facility's approved master plan. The facility's Conditional Use Permit (CUP) and CEQA approvals already allow up to 5,500 tons per day.

A Public Informational and Environmental Justice Meeting regarding the proposed changes to the SWFP was held on August 5, 2026 and no concerns were raised from the public. The Local Enforcement Agency (LEA) submitted the SWFP to CalRecycle on August 21, 2026. Calrecycle has 60 days (by November 6) to respond.

Except for the SWFP, MDRR has already acquired all permits necessary to accept the Authority's material, including a Conditional Use Permit (CUP) from the City of Pittsburg. All CEQA approvals are complete.

- <u>Construct a new building to receive, store, and transfer organics</u>

  MDRR is on schedule to complete construction of the new organics building by the end of October 2026

- <u>Install three additional unstaffed / automated scales: Two inbound and one outbound.</u>

  All scales have been ordered and are expected to arrive in September 2026. The scales will be operational by the end of 2026.

- <u>Purchase six transfer trucks, ten transfer trailers, and two loaders to transfer the Authority's materials</u>

  MDRR has received all of the new equipment except for one loader which is expected to arrive in December 2026.

- <u>Hire new employees to transfer the Authority's organics and solid waste</u>

  MDRR will hire five additional transfer drivers and seven additional on-site employees. None have been hired to date. Jobs will be posted by December 1, 2026 with hiring expected to be completed by February 1, 2027.

- <u>Upgrade the transfer station to ensure that it takes Republic's route trucks from the Authority's service area no more than 25 minutes to enter the facility, weigh the load, dump, and leave the facility</u>

  MDRR is making the following upgrades to the transfer station to minimize vehicle turnaround time:

- Constructing the new organics building as mentioned above.

- Installing three new scales as mentioned above. The facility currently has six certified scales and will have nine certified scales by the end of 2026.

- Maintaining separate driving lanes and scales for the public self-haul customers so that the Republic and MDRR route trucks don't have to wait in line behind self-haul customers. This increases safety as well as efficiency.

- Organics route trucks will enter and exit the facility through a dedicated gate that is not available to the public. This gate is currently only used for transfer trucks.

- The current tipping floor for route trucks has two loading bays and is used for both organics and solid waste. Once the new organics building is complete, both loading bays in the route truck tipping floor will be used for solid waste to decrease turnaround time for solid waste route trucks.

- The building next to the route truck tipping floor is currently the tipping area for self-haul customers. Once the new organics building is complete, that building will be closed to the public and will be used by solid waste route trucks to clean out the material from behind their packer blades after dumping, and as additional space for route trucks to tip solid waste if needed. Currently solid waste route truck cleanouts occur on the main route truck tipping floor, which is less efficient.

- The public / self-haul tipping area will move from its current location to the new organics building. The new building is large enough to accommodate both organics route trucks and self-haul vehicles safely and efficiently. The new building will include barriers to separate organics route trucks from public self-haul traffic. One barrier will consist of concrete block wall, while the other will be movable plastic barriers that can be repositioned at the end of each day to facilitate public / self-haul loadout operations. Public self-haul vehicles will enter and exit on the east side of the building, while organic route trucks will enter and exit on the west side, providing clear separation between traffic flow.

Recyclables Processing Agreement – MDRR

- Perform a recyclable materials characterization study prior to March 1, 2027 to confirm that MDRR is achieving the minimum recovery rate for each material and to determine the amount of the recyclables revenue share with the Authority for Rate Year One

  MDRR will perform the 8-hour-long study on Saturday, September 12, 2026. MDRR will set aside 100 tons of the Authority's unprocessed inbound recyclables for the study. During the study, MDRR will process the 100-ton sample using the normal processing equipment, staffing, and belt speeds. MDRR will weigh all of the outputs from processing the sample, including recovered commodities and landfill residue. MDRR will sort a 200 lb. sample of the residue to characterize its contents and determine the recovery rate for each type of recyclable material. MDRR will perform subsequent recyclable materials characterization studies at least once per year.

Note that MDRR recently upgraded the "last chance" line at their MRF with a new optical sorter which recovers recyclable materials that were missed on the initial pass. This should improve the facility's recovery rate.

- Have the ability to recover and market rigid polypropylene (#5) plastics and PET thermoforms (non-bottle #1 plastic containers such as clear strawberry boxes) by March 1, 2027, as required by SB 54

  MDRR is currently working with a vendor to evaluate system design, costs, and implementation timeline.

Other Post-Collection Agreements

The following post-collection agreements do not have any significant implementation tasks to complete in order to be ready to accept the Authority's materials on March 1, 2027:

- Landfill Disposal – Republic
- Commercial Food Scraps Processing – Republic
- Organics Composting – Recology

Notable Authority Implementation Tasks

- Add the community of Canyon to the Authority's service area

  Authority staff and Republic had hoped to be able to provide identical services to all Canyon residents. However, after reviewing the set-out locations and meeting with residents, it was determined that multiple solutions would be necessary. Republic agreed to continue to service the shared recycling bins on the road behind the school and to add a shared organics bin. These bins would be available to all Canyon residents. In addition, Canyon residents who have sufficient space will have the option to receive individual recycling and/or organics carts at their homes. Unfortunately, not all homes in Canyon have enough room at their regular set-out locations along the road to set out three carts.

  Beginning March 1, 2027, Canyon residents will also have the option to subscribe to 20-gallon solid waste carts. Currently the smallest solid waste cart size available is 32-gallons.

  Staff will send out a survey (both email and postcard) in the Fall of 2026 to all Canyon residents to determine which residences want to receive individual recycling and/or organics carts, and which ones would like a 20-gallon solid waste cart. Staff and Republic will attend a Canyon Community Meeting during the Fall of 2026 to discuss the new programs and answer questions. Staff had an initial meeting with County staff about Canyon rates and will have a follow-up rate meeting in September, 2026. At the initial meeting Authority and County staff decided to add the 20-gallon option and to leave the cost differential between cart sizes the same as current. Canyon rates will be finalized when the Authority meets individually with the County in October to set all County rates for Rate Year One of the new franchise agreement.

- Select and purchase new SB 1383 compliance tracking software

  On August 28, the Authority is releasing an RFP for a software tool to help the Authority track outreach and compliance. As envisioned in the new franchise, the Authority will take over this responsibility from Republic Services.

Central Contra Costa Solid Waste Authority

Agenda Report

TO: CCCSWA BOARD OF DIRECTORS

FROM: DAVID KRUEGER, EXECUTIVE DIRECTOR

DATE: AUGUST 27, 2026

SUBJECT: **IMPLEMENTATION OF GARBAGE OVERAGE CHARGES FOR SINGLE-FAMILY HOMES**

SUMMARY

Republic Services (Republic) will begin charging single-family customers $10 per occurrence for overflowing landfill carts beginning November 1, 2026. The current collection agreement has always allowed Republic to charge this fee, but they chose not to implement it until they acquired better technology to identify, verify, and document overages. During September and October 2026, Republic will educate customers about the fee prior to implementation.

RECOMMENDED ACTION

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

DISCUSSION

The current and future collection franchise agreements allow Republic to charge single-family customers an additional fee to collect garbage "overages". Overages include overflowing landfill carts or extra bags of garbage set out next to landfill carts. To date, Republic has only charged single-family customers for extra bags of garbage set out next to landfill carts, and not for overflowing carts.

Republic recently informed staff that they intend to start charging for overflowing carts as well. The reason for implementing these charges at this time is that Republic now has video cameras on all of their trucks to document the overflowing carts, as well as an AI and GPS system which can identify overages from camera footage, match each overage to a service address, and determine when an overage charge is appropriate. The current collection agreement has always allowed Republic to charge an overage fee on overflowing carts, but they chose not to implement it until they acquired better technology to identify, verify, and document overages.

Republic is proposing to assess the charge only for "extensive" overages where garbage extends above the top of the cart by more than a couple of inches and when the wide open lid is not caused by just a few tall items (e.g. a mop handle) in the cart. <u>The overage charges will be assessed only on overflowing landfill carts, not on overflowing recycling or organics carts.</u> **Attachment A** contains photos that illustrate what constitutes an "extensive" overage that would be subject to the overage fee. For each overage, the initial determination is made by AI but is then reviewed and confirmed by two Republic employees.

The current Board-approved rate for collection of a Landfill overage from a single-family customer is $17.78 per 32-gallon bag. This rate is the same for all Member Agencies. The Board-approved rates are maximum rates, and Republic may choose to charge less than the maximum rates. Republic proposed to charge $10 for each overflowing single-family landfill cart with an extensive overage. Currently Republic charges $17.78 per 32-gallon bag set beside a single-family Landfill cart. For consistency, staff asked Republic to charge the same $10 whether the overage was inside the cart or set out beside it. Republic agreed to charge $10 per instance for extensive overages inside of a Landfill cart and $10 per 32-gallon bag for garbage overages set out beside a landfill cart. Staff and Republic agreed that this $10 rate would be in effect throughout Rate Year One of the new franchise agreement; until June 30, 2028. After Rate Year One, the overage rate will be adjusted each rate year using the adjustment methods set forth in the Agreement.

Currently, Republic collects (and charges for) approximately 100-150 bags per month of overages set out beside single-family Landfill carts. In addition, Republic estimates that they will charge approximately 1,500 single-family customers per month for extensive overages in overflowing single-family landfill carts once this change is implemented. However, the number of overages is likely to decrease over time as customers change behavior (subscribe to larger Landfill carts, recycle more, etc.) in response to the fee.

Because they have opted not to charge overage fees on overflowing single-family Landfill carts in the past, Republic proposed to phase in the implementation of this new fee. There would be an overage grace period in September and October, with the new fees being assessed starting November 1, 2026. During the September-October grace period, residents with extensive overages would receive warning notices that their overage was collected at no charge as a courtesy, but after November 1, any new overages would result in a $10 per occurrence fee. Republic will also mail a postcard and email notices to all single-family customers in September informing them of the new fee. The overage fee public education plan is included as **Attachment B**. The postcard is attached as **Attachment C.**

<u>Background on Overage Fees</u>

As stated above, Republic currently does not charge overage fees on single-family customers, except for extra garbage set out in bags beside landfill carts. Republic currently <u>does</u> charge overage fees on commercial and multi-family customers for overflowing carts/bins as well as materials set out beside or on top of carts/bins. Republic charges commercial and multi-family customers overage charges for all materials (landfill, recycling, organics). Commercial and multi-family *cart* customers are charged for overages at $17.78 per 32-gallon bag, and commercial and multi-family *bin* customers are charged for overages at the current per cubic yard cost for garbage service in their member agency. Commercial and multi-family customers are charged for overages if the lid of their cart or bin does not close.

The new collection franchise agreement, which takes effect on March 1, 2027, defines "Overages" as: "(i) Franchised Materials exceeding the Container's intended capacity where the contents protrude from the top of the Container such that they are visible above the lid of the Container and/or prevent the lid of the Container from closing completely; and, (ii) Franchised Materials placed on top of or in the immediate vicinity of a Container or set-out location. Overage excludes Franchised Materials set out as part of the on-call extra pickup programs for Recyclable Materials and Yard Trimmings described in Exhibit B or Franchised Materials set out as part of the Reuse and Cleanup Days Program."

The new collection agreement contains these provisions regarding overages:

"The Contractor shall Collect Solid Waste Overages if it is safe to do so and may charge the Subscriber a Rate not to exceed the Maximum Rate for such service. The Maximum Rate for Collection of Solid Waste Overages for Cart service shall be per 32-gallon bag or equivalent. The Maximum Rate for Collection of Solid Waste Overages for Bin and Roll-Off services will be per cubic yard. The charge to Collect a Solid Waste Overage that is protruding from a Container shall only be for the portion of the Solid Waste that is protruding above the lip of the Container. To charge a Subscriber for Collection of a Solid Waste Overage, the Contractor shall make available, upon request, documentation of the Overage, including photographic evidence, the date and time of Collection, and the service address. The Contractor shall Collect Solid Waste Overages and may charge for this service without prior request or approval from the Subscriber. The Executive Director may settle any disputes between the Contractor and the Subscriber regarding Overages charges.
The Contractor may Collect, at its discretion, Recyclable Materials Overages, Commingled Organics Overages, or Commercial Food Scraps Overages that are safe to Collect. The Contractor shall not charge the Subscriber for Collection of Recyclable Materials Overages, Commingled Organics Overages, or Commercial Food Scraps Overages at any time, unless otherwise directed and approved by the Authority."

Therefore, commercial and multi-family customers will no longer be charged for Organics or Recyclables overages after March 1, 2027. This is consistent with Organics and Recyclables services being provided at no additional charge. Republic has agreed that from November 1, 2026 through June 28, 2028 of the new agreement, the "extensive" overage standard and $10 per occurrence rate would apply to multi-family and commercial carts as well as single-family carts.

ATTACHMENTS

A. Extensive Overage Criteria and Examples
B. Overage Fee Public Education Plan
C. Overage Fee Postcard

Agenda Item No. 4c
Attachment A

REPUBLIC SERVICES

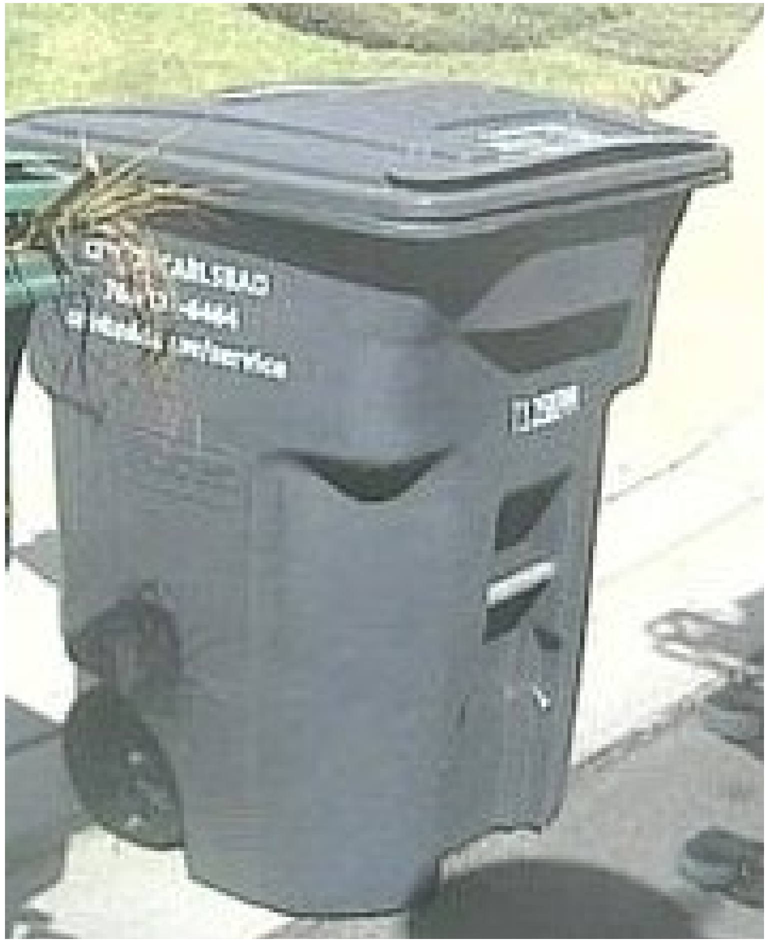
Residential EXY

Criteria Alignment

Minimal Overage

Does Not Meets Criteria

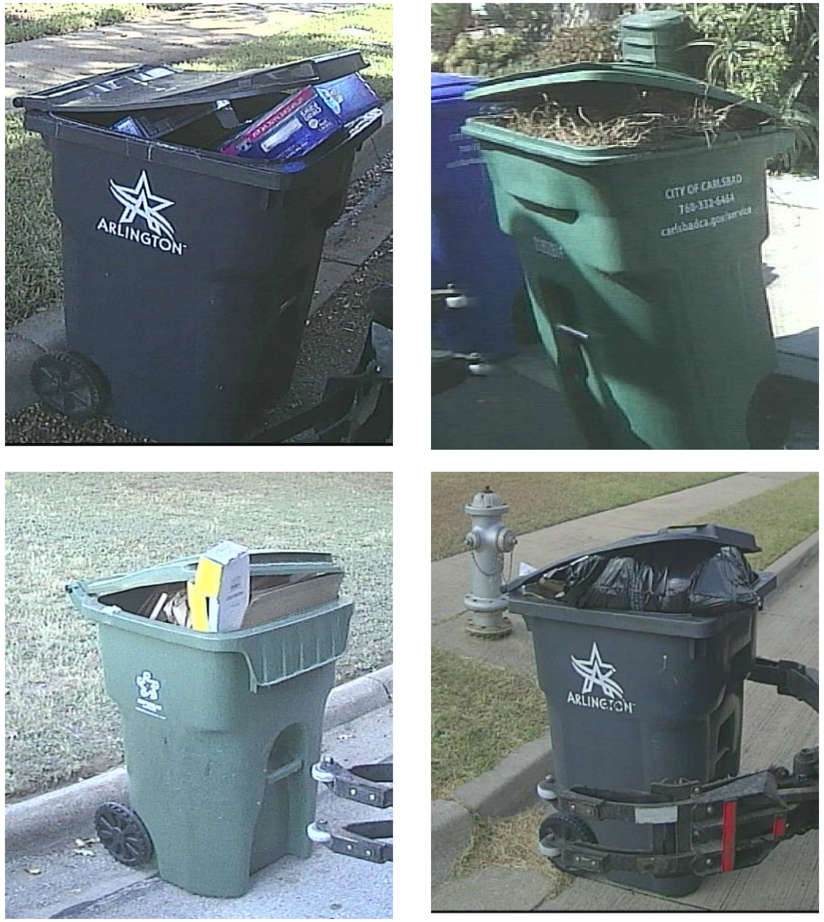
Does Not Meet Criteria



This would not be charged

Moderate Overage

Does Not Meet Criteria

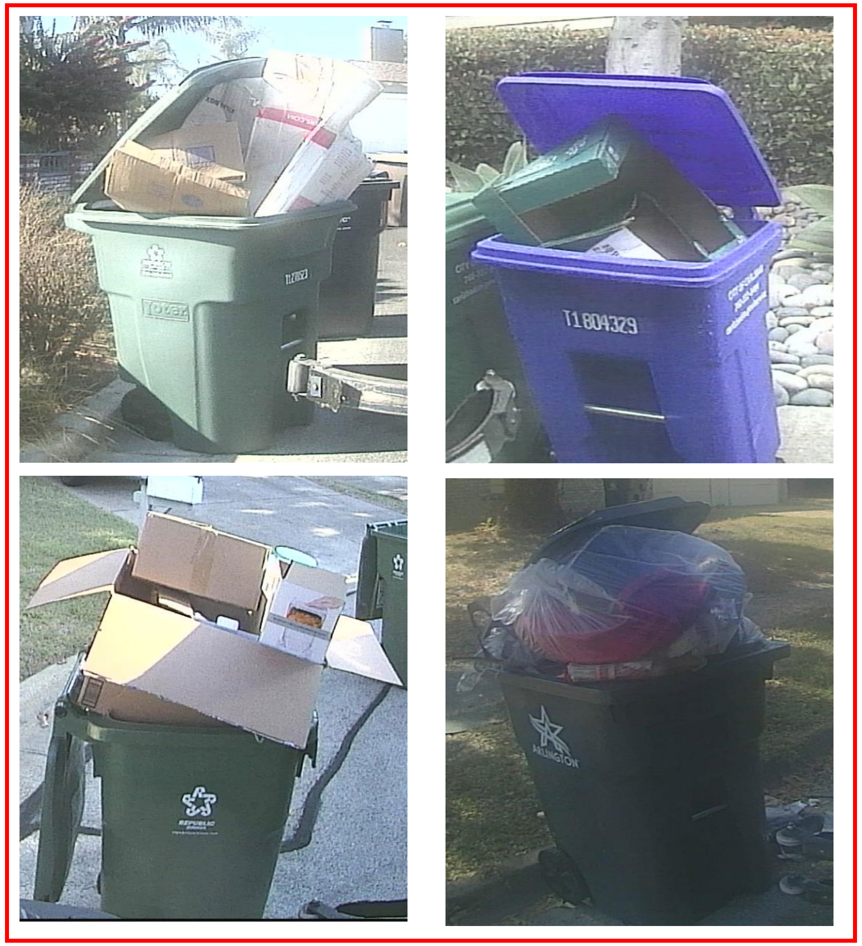


Does Not Meet Criteria

This would not be charged

Extensive Overage

Meets Criteria

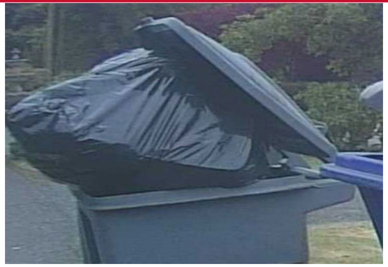
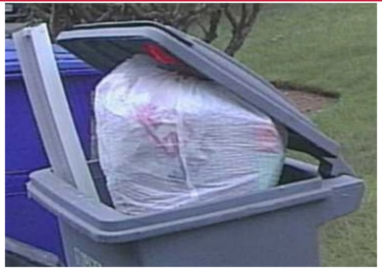
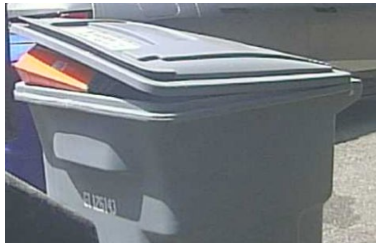


This would be charged

Does Not Meet Criteria

Example: "tall trash" would not be charged, as container isn't full

Overage Examples and Billing Impact

Criteria Level	Bill?	Media Example
Extensive	YES	 
Moderate	NO	 
Minimal	NO	 

Republic Services chooses to bill on Extensive overages; this is more lenient than the industry standard

8/27/2026:

CCCSWA Board Meeting

Sept 1 - Oct 31

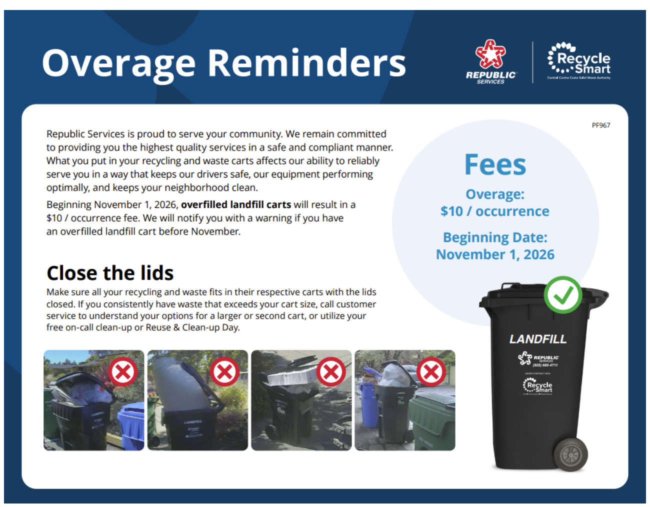
Educational "Warning" Period

GENERAL Outreach:

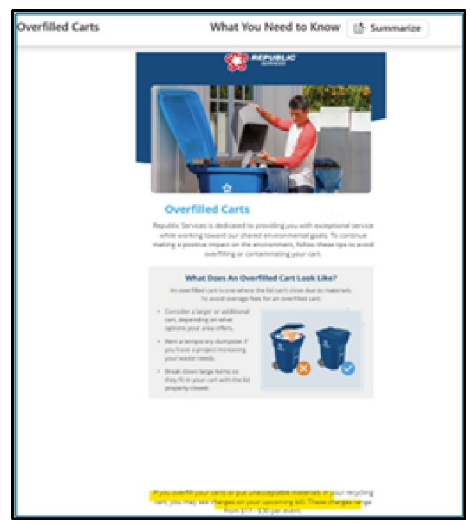
Mail physical postcard to all customers (~60,000 residents)

Email digital postcard to all customers

General Postcard Mailer:



General Email Outreach:

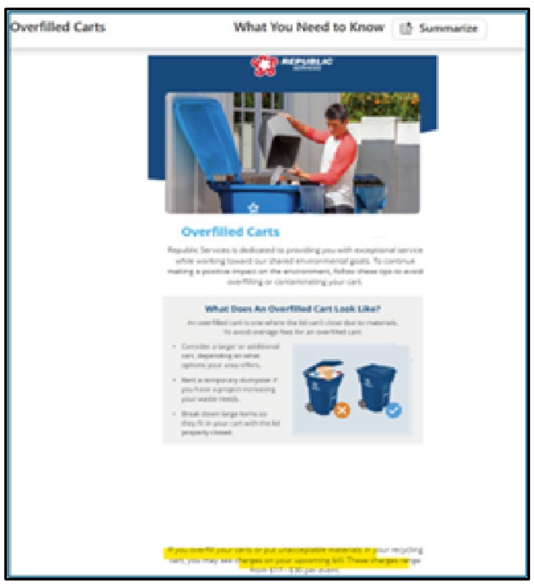


Did Customer have a landfill overage event between Sept 1 - Oct 31?

NO

General Outreach

Repeat General Email again mid/late Nov to all residential customers



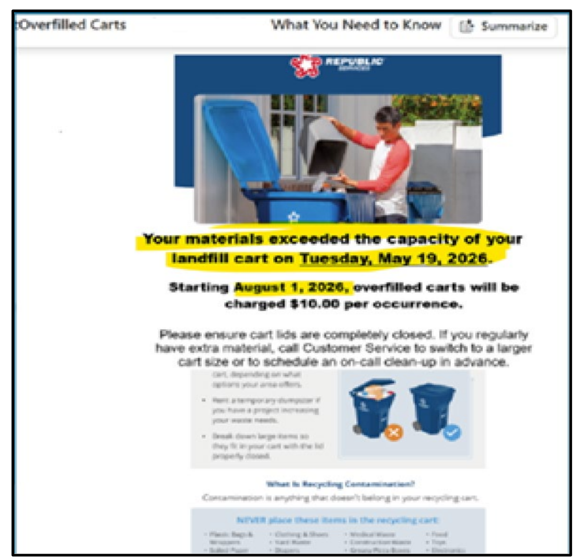
YES

CUSTOMIZED Outreach

Customer communication, referencing **the date of the landfill overage event**, and noting this is a warning but $10.00 charge will be effective after educational warning period.

*Email notification within 3 business days of the event.

Customized Warning Email:



$10 overage fee applies to customers with excessive landfill cart overages.

Customers can view photos within a few days of the overage event, when they log on to their Republic online account.

Agenda Item No. 4c
Attachment C

Overage Reminders

REPUBLIC SERVICES | Recycle Smart — Central Contra Costa Solid Waste Authority

PF967

Republic Services is proud to serve your community. We remain committed to providing you the highest quality services in a safe and compliant manner. What you put in your recycling and waste carts affects our ability to reliably serve you in a way that keeps our drivers safe, our equipment performing optimally, and keeps your neighborhood clean.

Beginning November 1, 2026, **overfilled landfill carts** will result in a $10 / occurrence fee. We will notify you with a warning if you have an overfilled landfill cart before November.

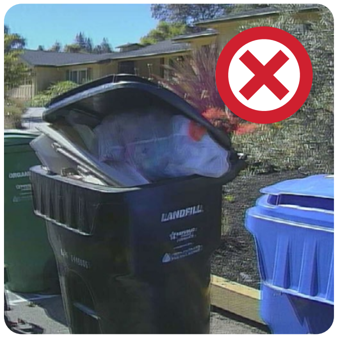
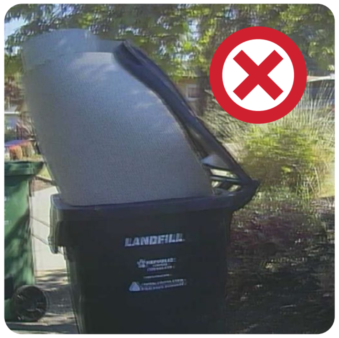
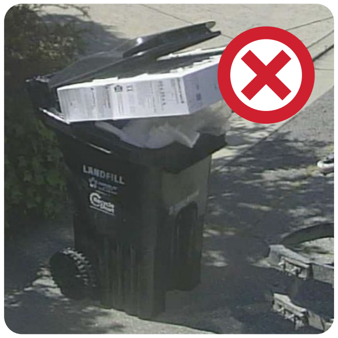
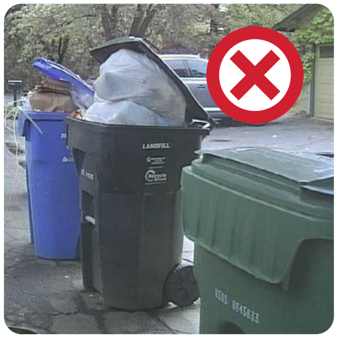
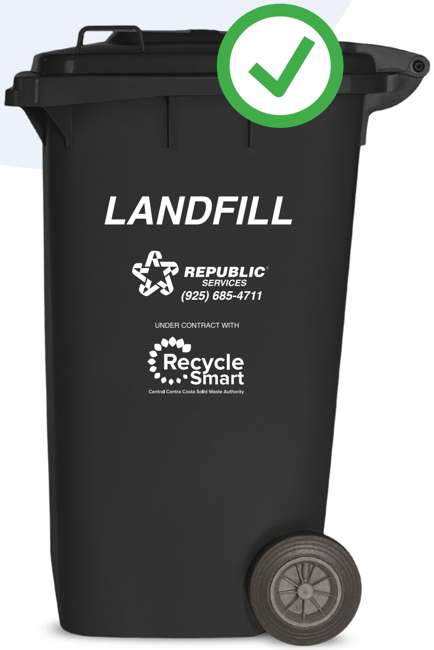
Fees

Overage:
$10 / occurrence

Beginning Date:
November 1, 2026

Close the lids

Make sure all your recycling and waste fits in their respective carts with the lids closed. If you consistently have waste that exceeds your cart size, call customer service to understand your options for a larger or second cart, or utilize your free on-call clean-up or Reuse & Clean-up Day.

Agenda Report

TO:	CCCSWA BOARD OF DIRECTORS
FROM:	DAVID KRUEGER, EXECUTIVE DIRECTOR
DATE:	AUGUST 27, 2026
SUBJECT:	**EXECUTIVE DIRECTOR'S MONTHLY REPORT**

SUMMARY

Central Contra Costa Solid Waste Authority (Authority) staff perform 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 also interacts 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

Notable Events:

As described in the Third Amendment to the Republic franchise agreement, the service quality metric is 2,700 or fewer missed container pickups from residential subscribers on incomplete routes in a four-week period. Republic is entitled to a special rate increase in RY 12 that is based on the number of four-week periods in which they met the service quality metric. Because they met the service quality metric in 11 of the 12 four-week periods, they received a special rate increase of $2,138,515.02 in RY 12 (March 2026 – February 2027). The Third Amendment also provides that $112,553.42 of the RY 12 special rate increase may be "clawed back" for each four-week period that Republic does not meet the metric between September 15, 2025, and February 26, 2027. Therefore, we are continuing to track performance through the end of the franchise.

Period	Four-Week Period Beginning	Number of Missed Residential Collections	Metric Met (2,700 or fewer)
1	September 15, 2025	2268	Yes
2	October 13, 2025	1372	Yes
3	November 10, 2025	2112	Yes
4	December 8, 2025	2588	Yes
5	January 5, 2026	1695	Yes
6	February 2, 2026	2677	Yes
7	March 2, 2026	2929	No
8	March 30, 2026	1568	Yes
9	April 27, 2026	1952	Yes
10	May 25, 2026	6065	No
11	June 22, 2026	2215	Yes
12	July 20, 2026	2034	Yes

The Board approved waiving the $112,553.42 "clawback" for failure to meet the service quality metric for the four-week period beginning March 2, 2026 due to six Republic drivers abruptly losing their commercial licenses as a result of Federal and State government actions. Republic will remit $112,553.42 to the Authority for failure to meet the metric for the four-week period beginning May 25, 2026.

Completed and Ongoing Activities:

- The monthly Member Agency liaison meetings in July and August were cancelled due to scheduling conflicts and lack of pressing business.

Member Agency Liaisons			
Name & Member Agency	**Title**	**Email**	**Phone (925)**
Ellen Edgar, County	Planner	Ellen.edgar@dcd.cccounty.us	655-2767
Cat Bravo, Danville	Management Analyst	cbravo@danville.ca.gov	314-3377
Arly Cassidy Lafayette	Senior Planner	acassidy@ci.lafayette.ca.us	299-3242
Estela Ramirez, Orinda	Management Analyst	eramirez@cityoforinda.org	253 - 4252
Cassius Carandang, Moraga	Assistant Planner	ccarandang@moraga.ca.us	888-7042
Candice Rankin Mumby, Walnut Creek	Sustainability Manager	rankinmumby@walnut-creek.org	943-5899 x2304

- Staff is finalizing the Reuse and Cleanup Program agreement with MDRR and plans to bring the agreement to the Board for approval at the September 24 Board meeting. Staff will consult with the Franchise Vendor Selection Ad Hoc Committee prior to bringing the agreement to the Board in order to discuss key contract provisions including the methodology for increasing or decreasing routes and compensation in response to changes in participation.

- Contractor compensation rate applications for Rate Year One (RY 1) of the new franchise agreement are due from Republic (Collection) and MDRR (Transfer, Recycling) on September 1, 2026. The other compensation adjustments (Landfill, Composting, Commercial Food Scraps) are simple CPI calculations and are due December 1, 2026. RY 1 will begin March 1, 2027 and end June 30, 2028. The Board will approve the RY 1 rates in January 2027.

  Staff has been working with Republic and HF&H Consultants to develop an Excel spreadsheet for submission of this and all future rate applications. The spreadsheet is designed to implement the contractor's compensation adjustment methodologies from the agreement and simplify calculations. The intent of the spreadsheet design is to avoid any future disagreements over interpretations of the compensation-setting language in the agreement, and to provide clear direction and documentation on how to perform the calculations in the event of future changes in staff at the Authority and/or Republic.

- SB 922, the bill that would amend the California Vehicle Code to clarify that local agencies may impose fees, charges, or surcharges associated with use of their streets to recover costs associated with street maintenance and repair, is on the Governor's desk for signature. On August 19, RecycleSmart staff sent correspondence to the Governor's office urging him to sign this important piece of legislation, and notified our member agency legislative contacts and the liaisons.

- On August 28, the Authority is releasing an RFP for a software tool to help the Authority track outreach and compliance. As envisioned in the new franchise, the Authority will take over this responsibility from Republic Services.

- On September 12, Mt. Diablo Resource Recovery plans to conduct the first recyclable materials characterization study related to the new franchise. The study is intended to determine the rate of recovery and the results will factor into the revenue sharing calculation. Staff will be present for part of the study.

- The proper handling of manure has become complicated for at least a dozen equine accounts (e.g., horse stables, equestrian centers) in our service area, mostly in the County and Walnut Creek. Since the beginning of the current (2015) franchise agreement (and possibly earlier), Republic has collected horse manure from these accounts in green organics carts for no additional charge and transferred the manure mixed with organics to their Forward Compost Facility to be composted. In early August, 2026, Republic informed the Authority that the Forward Compost Facility's Air Board permit does not allow manure as an input at the facility and therefore Republic could no longer collect the manure with the organics in the green carts. Republic also confirmed that they could not transfer the manure to their West County Compost Facility in Richmond due to that facility's permit restrictions. Recology's compost facility, which the Authority will use starting in March 2027, is also limited in the amount of manure it can accept and is currently at its permit limit. The Authority's current and future franchise agreements with Republic do not require Republic to collect horse manure as organics.

  One alternative would be to collect the horse manure as garbage in the black carts and dispose of it at Keller Canyon Landfill. Because of the way our rates are structured, with recycling and organics collected at no additional charge and garbage charged based on volume, collecting manure as garbage would have a significant negative financial impact on these accounts. In addition, manure is included in the definition of organic waste under SB 1383, therefore, landfilling the manure is technically a violation of SB 1383 (and the Authority's local SB 1383 ordinance), and the Authority and/or the affected customers could potentially be held accountable by CalRecycle. Staff contracted with an organics specialist, Matt Cotton of Integrated Waste Management Systems, to assist these customers with finding the least impactful alternative collection and diversion scenario. Potential solutions include on-site composting, land application, and third-party transportation to a farm, vineyard, ranch, open space, state park, or compost facility that would accept the material. All of these options would come at a cost to the customer. Staff will contact the affected customers with alternatives, most likely during September 2026. In the meantime, at the behest of the Authority, Republic is continuing to collect the manure at no charge to the customers. Staff will keep the Board updated on this situation.

- RecycleSmart recently revamped our website from the 2016 redesign and made several website updates to improve user experience, make information more efficient to search and locate, and create a cleaner homepage layout:
  - Updated the color palette from dark blue to a softer khaki green for a warmer, brighter appeal throughout the website
  - Updated the homepage videos from a large format to smaller videos to reduce the amount of space
  - Added a search bar to every page, giving users easier access to search for information throughout the website
  - The "Hello Recycling" search widget was added to the green organics, black landfill, and blue recycling pages so visitors can easily search for items not listed on those pages
  - Added the top searches (sorting guides, reuse & HHW) to the homepage to highlight the most commonly requested information
  - Made the Reuse and Cleanup Days information, including the schedule, more prominent and easier to find

  Check it out! https://www.recyclesmart.org/

- Ridwell (www.Ridwell.com) a private reuse and recycling service that charges customers a subscription fee for collection, has been operating in our service area since 2025. They are allowed to collect only those materials that are not accepted in our exclusively franchised programs. As part of our agreement to allow them to operate in our service area, the Authority receives information annually about the number of subscribers (see below) and the types and weight of items collected. Some of the items collected for reuse were books, eyeglasses and non-perishable food. Some of the items collected for recycling includes bread tags, holiday lights, keys and multilayer plastic.

Member Agency	Subscribers as of 7/31/25	Subscribers as of 6/30/2026
Danville	67	96
Lafayette	174	204
Moraga	50	64
Orinda	131	158
Walnut Creek	174	283
Total	**596**	**805**

- Staff has been closely monitoring the implementation of SB 54, attending workshops and meetings with CalRecycle, other local jurisdictions, and a statewide group of solid waste JPA executive directors. Staff has also met with representatives from the Circular Action Alliance (CAA), which is the Producer Responsibility Organization that will collect funds from the producers (manufacturers, distributors) of SB 54 covered materials and distribute them to local jurisdictions and service providers (e.g. Republic, MDRR, Recology) to increase diversion of those materials. CAA submitted its required draft Program Plan for public comment. Staff submitted written comments on the draft Program Plan on August 14, 2026. Our comments were coordinated with the comments of other local jurisdictions. CAA has until October 13 to review the comments and submit the plan to CalRecycle, and CalRecycle must grant final approval of the plan by January 1, 2027.

  Executive Director Krueger has attended multiple meetings between CAA and a group of solid waste JPA executive directors to provide feedback to CAA on how funds will be disbursed to local jurisdictions and service providers. Mr. Krueger is also a member of a subcommittee of the executive directors' group which is seeking to standardize the materials accepted for recycling and composting across jurisdictions. The first task of this subcommittee is to review the list of materials that local jurisdictions will be required to accept by SB 54 starting in 2027, and to coordinate exemption requests for materials that most local jurisdictions cannot currently recycle or compost. The planned exemptions are focused on plastic-coated paper (e.g., coffee cups, shiny take-out boxes, "waxed" cardboard) and compostable plastics.

<u>Community Events</u>

- Booth with Republic Services, Opera in the Park, Orinda, July 23
- Danville held its first Repair Café event on Sunday, June 28, with 40 items brought in for repair
- Walnut Creek held its second Repair Café event on Saturday, August 1, with 129 items brought in for repair. The next Repair Café will be on September 26 in Lafayette.
- Staff presented at the Diablo Community Services District meeting, August 10
- Co-presentation with Republic Services at City of Orinda's "How Orinda Works" class, Aug 27

<u>SB 1383 Compliance</u>

- Staff submitted the Electronic Annual Report that is due to CalRecycle on August 1 of each year. The report covers compliance in calendar year 2025. Staff will provide a staff report and presentation about the EAR at the September Board Meeting.

- Staff completed the final submittal of OWR4 Local Assistance Grant Program. The grant for $531,371 was used in fund SB 1383 related expenditures between October 1, 2024 and November 2, 2026 including annual route reviews, food recovery inspections and assistance to covered generators including school districts, the 2025 waste characterization study and part of the 2026 waste characterization study.

Staff participated in or attended the following meetings in July and August 2026:

- BayROC (Bay Area Recycling Outreach Coalition) meeting, July 14
- Orinda Community Meeting, July 14
- AB 939 Quarterly Meeting, July 21
- California Product Stewardship Council Associates' meeting
- Zero Waste Now meeting (local agency waste management lobbying group)
- SB 1383 statewide practitioners Exchange, August 6
- Team building annual lunch with the Republic Services Sustainability Advisors, August 11
- Textile Stewardship Informal Regulatory Concepts Workshop, August 13
- California Organic Recycling Council Member Meeting, August 14
- Moraga Community Meeting, August 21
- California Resource Recovery Association Annual Conference, San Diego, August 30 – September 2

Future Events/Dates:

- September 12. MDRR Recyclables Characterization Study.

- November 2-6. The SB 1383 required annual Route Audits of the CCCSWA's 71 routes will take place the week of November 2. The lid flips include residential and commercial accounts. The goals are to identify prohibited contaminants in each stream (trash, recycling and organics) and to educate generators about proper sorting. Information about the field study will be shared with member agency staff and police departments.

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Future Agenda Items

TYPE	BOARD MEETING: 09/24/2026
C	Approve 08/27/2026 Minutes
A	Approval of Agreement with Mt. Diablo Resource Recovery for Reuse, Cleanup, and Bulky Item Services
I	Executive Director's Monthly Report
P	Base Rate Application for Rate Year 1 of the New Franchise
P	CalRecycle Annual Report & SB 1383 Compliance

TYPE	BOARD MEETING: 10/22/2026
C	Approve 09/24/2026 Minutes
I	Executive Director's Monthly Report
P	2026 Final Legislation Update
	Farewell to Board Members Cindy Silva & Matt Francois (Walnut Creek)

TYPE	BOARD MEETING: 12/10/2026
C	Approve 10/22/2026 Minutes
C	Approve 2027 Board of Directors Meeting Schedule
C	Receive Annual Financial Statement & Independent Auditors Report for FY 2025-2026
A	Fiscal Year 2025-2026 Distribution of Funds in Excess of the Reserve
I	Executive Director's Monthly Report
P	Solid Waste Collection Rates for Rate Year 1 of the New Franchise

TYPE

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

EPR legal challenges

California EPR lawsuit escalates as forthcoming Oregon ruling looms

Maria Rachal, Senior Editor

NAW and 17 AGs are seeking to block SB 54 enforcement. Their complaint also now accounts for tie-ins with recyclability law SB 343, for which enforcement is temporarily blocked.

The National Association of Wholesaler-Distributors continues to advance a multistate legal offensive against extended producer responsibility programs, as a thicket of packaging policy lawsuits grows more complex and connected.

Updates in newer EPR challenges

NAW recently launched a challenge in Colorado. And on Thursday, NAW announced it's seeking a preliminary injunction to block enforcement of California EPR and source reduction law SB 54 as part of a lawsuit led by 17 Republican state attorneys general, a case that remains sealed.

Those actions follow a successful bid for a preliminary injunction in Oregon, part of NAW's original state EPR lawsuit that went to trial in late July and now awaits ruling from a judge.

In NAW's Thursday announcement, the trade group also shared that plaintiffs amended the California complaint, citing aspects of the successful preliminary injunction in Oregon as well as tie-ins to a separate lawsuit brought by different trade groups in California that has temporarily blocked enforcement of recyclability law SB 343. Among other arguments, the plaintiffs say that SB 54 is unconstitutionally vague in violation of the Due Process Clause.

"Earlier this summer, a federal judge blocked California from enforcing SB 343, the 'chasing arrows' recycling labeling law," said Brian Wild, NAW's chief government relations officer, in a statement. "SB 54 relies on the same definition of recyclability, so we are asking the court to come to the same conclusion and enjoin SB 54 as well."

Awaiting an outcome in Oregon

A five-day bench trial in Oregon concluded July 17. Judge Michael H. Simon requested post-trial briefings from both sides addressing particular questions.

On Aug. 4, the Oregon District Court stated it had reviewed those briefings and agreed that no further oral argument was necessary. But it did request that the defendant, Oregon Department of Environmental Quality Director Leah Feldon, file a short brief specifically addressing NAW's newer argument that the law's small producer exemption for Oregon public bodies is facially discriminatory and violates the Dormant Commerce Clause. There were some subsequent response filings from each side.

"The subsequent briefing shows that the parties disagree not only over whether the exemption is discriminatory, but also over whether NAW has standing to challenge it and what remedy would be appropriate if the court identifies a constitutional problem," said L. Claire Hansen and Catherina D. Narigon, associates at Bergeson & Campbell, in an emailed analysis.

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NAW in part argued that "the statutory text itself treats Oregon and out-of-state public bodies differently and that no evidence of real-world discriminatory effects is necessary to establish facial discrimination," the B&C attorneys explained. "NAW also argues that its members have standing because exempting additional entities from the RMA's funding base increases the costs borne by non-exempt producers."

Ultimately, the judge considered NAW's asserted economic injury to be speculative "and argues that any defect in this particular exemption would not justify invalidating the broader regulatory program," they said.

Betsy Stone, senior counsel with Foley & Lardner, also said it's notable what the judge did not ask for.

"Judge Simon closed the book on additional briefing about the Dormant Commerce Clause, NAW's headline claim," she said in emailed comments. "A court that declines supplemental briefing on a party's lead theory has, in effect, reached a conclusion on that theory. That is a material development regardless of which direction the conclusion runs."

Stone believes the picture is clearer on procedural due process. "The architecture of Judge Simon's questions suggests a high probability of a partial outcome. One that preserves the core EPR framework while surgically excising discrete provisions," she said.

Stone also believes the supplemental briefing order on the small-producer exemption is a favorable signal for NAW on that issue. It appears an ultimate ruling may leave "the RMA's basic regulatory architecture, such as DEQ oversight, PRO implementation, producer fee obligations, intact," she said.

In general, the targeted scope of questions following the trial indicate the court is well versed and actively engaged in these issues, said Alexandra Ward, associate at Holland & Knight.

"It also signals that we likely are close to a decision because he's narrowing in on the things that he feels still need to be briefed before he can render a decision," she noted.

Looking ahead, the judge is clearly aware of the implications for other states beyond Oregon, including those that may be considering future packaging EPR policies, said Halley Townsend, associate at Holland & Knight. “Legislators are probably watching this to see how they can craft their own laws in a way that might withstand constitutional scrutiny better after this decision.”

As for states with existing policies: “While Oregon is the bellwether, California is the main event,” Stone said. “As the world’s fourth-largest economy, its EPR program cannot be ring-fenced. A California-scale mandate resets national and multinational supply chain dynamics because the requirements impact every market that touches California commerce.”

As California demands less plastic in packaging, manufacturers say you'll pay more for stuff

by Alejandra Reyes-Velarde
August 20, 2026

Mixed plastic recyclables move on a conveyor belt at Recology's Recycle Central in San Francisco on Sept. 24, 2024.
Photo by Justin Sullivan, Getty Images

IN SUMMARY

- California's law to slash plastic packaging is running into a fight over who pays — and how much.
- The nonprofit managing the fees answers to almost no one, critics say.

More than two dozen California Assembly Democrats and one state senator sent a letter Wednesday to legislative leaders asking them to delay fees under SB 54, the state's landmark plastic reduction law, for two years — an eleventh-hour push as the Legislature hurtles toward the end of session.

The letter, addressed to Senate President Pro Tempore Monique Limón and Assembly Speaker Robert Rivas, was signed by 23 Assemblymembers and Sen. Melissa Hurtado. It asks lawmakers to pause fee assessment and collection this year and next, commit to a "reform package" next session, and increase legislative oversight of the program going forward.

The request lands amid a broader fight over how the plastics law is rolling out. Little by little California is demanding that the packages you pick up at your doorstep or at the store contain less plastic. A law Gov. Gavin Newsom signed four years ago aims to phase out 25% of non-recyclable, non-compostable plastic by 2032.

To get there, the state tasked a nonprofit, the Circular Action Alliance, with drafting a plan to meet the state goals. The group estimated the work would cost $17.2 billion over five years – and is asking for a three-year exemption from the source-reduction deadline.

But as the state moves to implement the law, questions are mounting over how the organization calculates the fees producers — and eventually consumers — will pay, and how much oversight the group actually faces.

Industry groups say the price tag for complying with the law could be tens of billions of dollars higher than California originally estimated. An industry-commissioned study found the law could cost consumers three times what the state projected — between $683 and $948 a year, rather than $190.

That means groceries, shampoo bottles and other consumer goods packed in plastic could cost a little more as the law takes effect.

The California Department of Resources Recycling and Recovery, which oversees implementation, declined an interview but said in a written statement that the law puts consumers first and pushes producers to design packaging with recycling in mind.

“Californians are facing rising costs and pollution from increasingly complex packaging that wasn’t designed for the recycling systems local governments, ratepayers, and the state developed and funded over the past four decades,” said CalRecycle director Zoe Heller. “The law’s rollout is a dial, not a switch, giving producers flexibility to redesign packaging, invest in recycling systems, reduce single-use plastics, and make adjustments along the way,” she added.

Watching the watchers

The Circular Action Alliance published its fee schedule in June, spelling out what each producer owes into the system. The fees could add up to more than $10 million for some businesses, according to the Dairy Institute of California. The Dairy Institute is a trade association that represents milk processors and dairy product manufacturers.

But unlike a state agency, the Circular Action Alliance answers to almost no one, said Katie Davey, executive director of the Dairy Institute.

“[The alliance] does not have to go through an audit by the state auditor. They’re not subject to the (California open government law) Brown Act. They’re not subject to public records requests. The Legislature does not approve their budget and does not approve how many employees they need, or how many fees they can charge,” Davey said.

As a private nonprofit, Circular Action Alliance indeed is not subject to the Brown Act or public-records law — but records it submits to CalRecycle or other government entities may be.

CalRecycle must approve its fee schedule and implementation plan, and has the authority to audit the organization’s performance, said CalRecycle spokesperson Lance Klug, who added that the plastics law includes provisions to ensure the group’s budget and fees are appropriate.

The alliance’s role “is not to set California policy,” said its spokesperson, Larine Urbina. “Our role is to implement the framework established by SB 54 under CalRecycle’s oversight.”

Davey said the gap extends to enforcement. Businesses that fall short will face so-called malus fees, which fund bonuses for those that comply. But the Circular Action Alliance hasn’t said what those fees will be.

Shane Gusman, a lobbyist for the Teamsters, which represents hundreds of thousands of California workers, raised similar concerns. "They're a wholly independent nonprofit organization that has no oversight. That's part of the problem." The union backed the plastics law hoping it would boost jobs; Guzman now says the fees could affect workers too.

Shortly after the alliance published its fee schedule, Davey and a coalition of industry leaders — including the California Restaurant Association, the California League of Food Producers, the American Forest and Paper Association and the Print Creative Alliance — commissioned a study disputing CalRecycle's numbers.

It found CalRecycle's 2025 estimate of $21 billion in implementation costs, or $190 a year per California household, rests on "idealized assumptions that fail to capture real-world costs and complications the regulations will create."

The study puts the number somewhere between $35 and $58 billion, rising after the implementation period.

Klug of CalRecycle said the agency's earlier reports were just estimates. "The actual costs will be determined by producer choices," he said. "These costs, for example, will reflect the infrastructure needed to recycle materials that producers are choosing to use."

Agriculture groups push back

The biggest hurdle for producers is cutting plastic use 25% by 2032 — which state regulators say will require redesigning packaging and shifting toward reusable products, such as dishes at restaurants and paper-based packaging for produce.

Business groups say they support the state's goals but call the timeline unworkable.

Food safety is one sticking point: alternatives like paper-based containers for berries are less breathable and spoil faster, while heavier glass or cardboard adds transportation costs, said Casey Creamer, president of the California Fresh Fruit Association.

"We just don't want to force something out and not be able to deliver a fresh, healthy commodity, or create a situation that has more significant or adverse environmental concerns just because we look at plastics and packaging in a silo," Creamer said.

Environmental groups oppose any pause.

"All of us pay for plastic pollution through higher garbage bills and clean-ups of polluted beaches and waterways, not to mention the damage to our environment and our health,"said Nick Lapis, director of advocacy for Californians Against Waste.

Sen. Ben Allen, a Democrat representing coastal Los Angeles County who authored the law, said it's time plastic producers are held accountable for the waste they produce.

"This 11th-hour Hail Mary is only trying to maintain status quo and avoid due responsibility, throwing years of good-faith negotiations, and affordability and sustainability improvements out the window," he said in a statement about producers' efforts to pause implementation of the law.

Businesses pass costs to consumers

Whether the plastics law is actually driving up grocery prices yet is hard to pin down. Creamer said businesses may already be factoring the organization's planned fees into their prices.

Federal data show grocery prices dipped slightly in July from June, though prices have climbed year over year and that rate is accelerating, said Richard Volpe, a consumer-price expert at Cal Poly San Luis Obispo. Neither the USDA nor the Bureau of Labor Statistics has released August figures, and no data yet isolates the state plastics law's effect from broader inflation.

Volpe said retailers, who run on thin margins, will eventually pass costs on to consumers — but probably not right away.

"It will not happen overnight," he said. "And it will still be relatively small, mostly on the order of pennies on the dollar."

Industry groups warn it will add up.

"If someone's even on the cusp of food insecurity and they're looking at $1,000 more a year, that's pushing them over the food cliff," said Nate Rose, a spokesperson for the California Grocers Association.

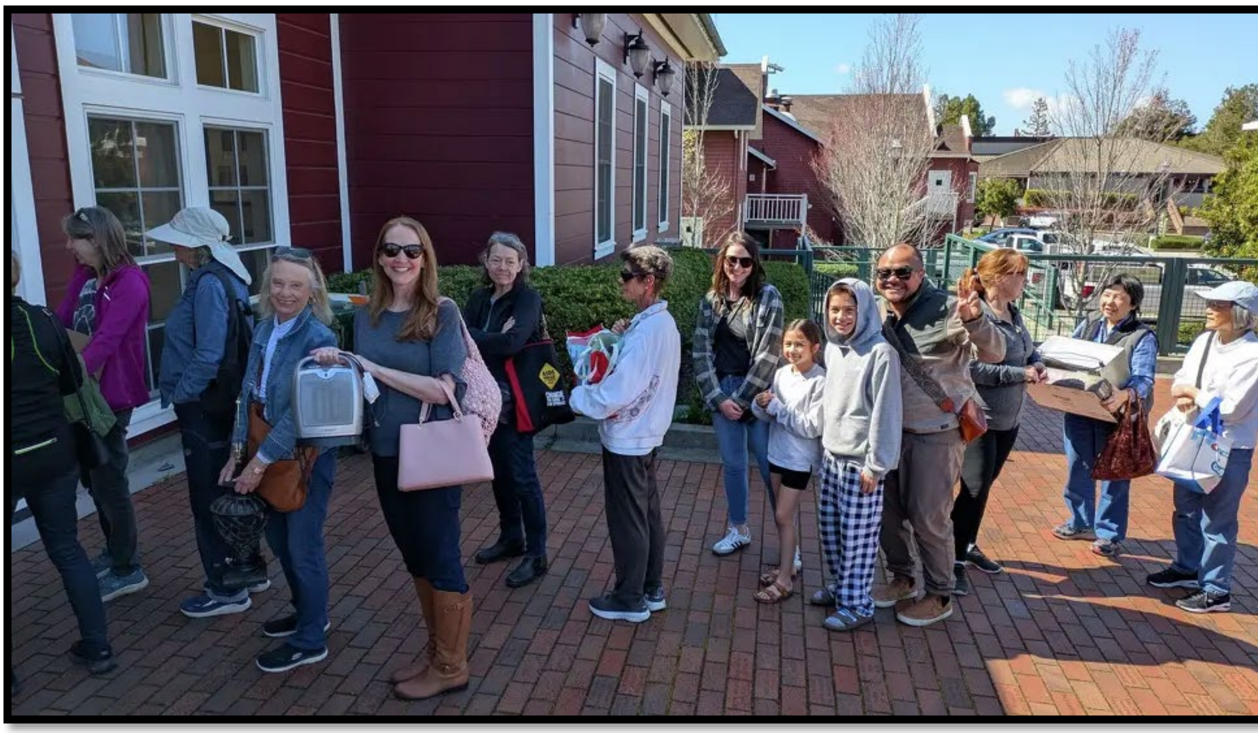
The Teamsters, which backed the plastics law hoping it would boost jobs, now worry the fees could affect workers too.

The law "has been morphed into something that is going to cost California consumers a substantial amount of money at a time when I don't know if we need to spend thousands more on groceries," said Gusman, the Teamsters lobbyist. "That also has an impact on the workforce."

California has forgotten how to fix things. Can these new Bay Area cafés help?

By **Allison Arieff**, Opinion Columnist

Aug 23, 2026



There's an episode of the TV comedy "South Park" in which one of the main characters, Randy, wakes up his two young children and says, "It's come to my attention that kids don't know how to do s—. You've got your phones and your AI, and you kids haven't learned to be able to actually *do* anything. So, we're going to take this morning to learn how to fix something."

Randy shows his kids that the oven door is broken, explaining that he's going to teach them how to fix it. He then takes out his cell phone and calls a repairman.

With few exceptions — my husband, for example, can fix just about anything — our society has collectively decided to toss everything rather than attempt to fix it. Collectively, Californians send nearly 45 million tons of trash to landfill each year, including nearly 1.2 million tons of textiles. We threw away approximately 1.5 tons of e-waste every minute in

2023. According to CalRecycle data, up to 95% of fabrics in landfills could have been reused, repaired or recycled instead of being thrown away.

We may think of this stuff as out of sight, out of mind. But a number of the state's landfills have garbage burning uncontrolled underground, leading to boiling temperatures that release toxic gases and hazardous liquid waste to the surface.

Even if we want to fix things the way Randy does, it's increasingly difficult to find someone who can do it. There were 100,000 shoe repair shops in the U.S. in the 1930s; today there are only around 5,000. You'd be hard-pressed to find a place to fix small appliances like toasters or microwaves — a Google search states that there are "zero dedicated storefront repair shops" in San Francisco. Low-cost fast fashion, meanwhile, all but encourages disposability. The vast majority of consumer items are deliberately designed to become obsolete.

We are losing the ability to not only fix a thing but understand the mechanisms that operate it. And the relationships created in that teaching.

New efforts in the Bay Area, however, are starting to offer a different path.

Culture of Repair is a global initiative that's focused on helping educators teach youth about repair in the classroom. The initiative is working with the Berkeley Unified School District to develop a middle school curriculum to introduce students to basic repair concepts and technical skills such as tool use, diagnosing repairs and taking items apart. In their final lesson, students choose an area of repair to explore in depth — either textiles, bicycles, or computers. We had this kind of thing when I was a kid, imperfect as it was (girls took home economics, boys took shop). Yet it imparted useful skills.

In San Francisco's Haight neighborhood, Claire Bonham-Carter has been operating the Haight-NOPA Repair Cafe for nearly a year. Bonham-Carter, a climate adaptation consultant and former director of sustainable development at AECOM, said she was motivated by a desire to reduce waste, save money and resources, share skills and foster community in the process. She was also inspired by a friend who runs the Chiswick Repair Cafe in London.

Several times a year, at the Park Branch Library community room, volunteer repairers navigate a line of those seeking assistance with everything from toasters to radios to ripped clothing. The repairers, Bonham-Carter said, are "mostly 25-to-35-year-old engineers who say they were driven to volunteer because of a desire to help people and be in the community and use their skills in a practical way."

There are always a few volunteer bakers who give away sweet treats.

The effort is funded by a grant from the city focused on zero waste activities. Bonham-Carter said she has a list of around 200 waiting to volunteer to fix things, but she can only accommodate 20 in the library space.

“I feel like the demand is such that someone who wanted to do it full time and had the interest to do all the fundraising could make something happen,” she said. “People who come will say, ‘Is there one of these in Glen Park? One in Bernal? ’”

One of her volunteers was sufficiently inspired to start her own repair café, which she plans to host in her living room. The inaugural event of Mission Repair Cafe will be held on Sept. 13.

In the North Bay, meanwhile, the nonprofit Reuse Alliance advocates for and supports reuse practices that recirculate materials into communities. At its Reuse Bazaar, a community swap at the Sonoma County Fairgrounds in Santa Rosa last year, 35,000 pounds of stuff — everything from espresso machines to 3-D printers — was donated; 27,000 pounds were diverted to new homes and local nonprofits, and 9.400 pounds of materials were recycled.

Then there’s the Reuse Hub, a storefront in an outlet mall of all places. People can come to get reuse questions answered and learn skills, including lamp repair, mending and soldering. Its quarterly Repair Fair will be held in Fairfax on Sept. 12.

“There’s a real hunger for a return to analog,” Reuse Alliance Executive Director Phoebe Schenker told me. “People wanted to be in physical space with other humans. Young people especially are tired of being online.”

Repair, she said, “is the one people understand the easiest and are the most hungry for. Repurpose is the creative one — how do we take this stuff that exists in the world that people don’t want anymore and turn it into something that’s usable?”

While the environmental benefits of reuse are obvious, there are also potential economic benefits. It isn’t easy to offshore upholstery or shoe repair.

Many countries are recognizing the importance of aggressively tackling this ugly side of late-stage capitalism. Earlier this year, France officially criminalized planned obsolescence. That includes the prohibition of any technique, including software, that aims to make repair or recondition impossible. It’s a serious piece of legislation: Companies found guilty can face corporate fines, and executives can face prison time. It’s already had an impact — global manufacturers, including Apple and Samsung, had to alter their products to avoid steep penalties.

France also established a National Repair Fund, which provides a "repair bonus" for 73 everyday items that include smartphones, TVs, cameras and toasters; consumers who repair broken products receive a bonus ranging from 16 to 60 Euros. There's a similar bonus for clothing and footwear, with the idea of motivating consumers to stop discarding.

Enacting these kinds of initiatives in the U.S. might seem implausible amid our culture of disposability. But there has been some state-level legislation, including in California. In 2024, the state enacted a right to repair law — which makes it easier for consumers and independent repair shops to fix electronics and appliances instead of being forced to use the manufacturer's authorized repair network — and the Responsible Textile Recovery Act, which holds the apparel producers responsible for clothing and textiles at the end of their useful life, building a system for collection, reuse, repair and recycling.

These laws ultimately lack the teeth of the European efforts. So, it's left to the grassroots to help change attitudes and behaviors — and to help repair your oven.