



1850 Mt. Diablo Blvd., Ste. 320
Walnut Creek, CA 94596

Telephone: 925.906.1801
Email: authority@recyclesmart.org
Website: www.recyclesmart.org
Facebook: www.facebook.com/CCCSWA

BOARD OF DIRECTORS REGULAR MEETING

AGENDA

JULY 25, 2024 – 3:00 P.M.

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

Off-site Attendance

Inga Miller, Board Member
Smedserud 39
Smedserud, Värmlands län 685 93, Sweden

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 23, 2024*

4. **PRESENTATION ITEMS**

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

- a. 2024 Legislation Update*
Jen Faught, RecycleSmart

5. INFORMATION ITEMS

- a. Executive Director's Monthly Report*
- b. Future Agenda Items*

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 MAY 23, 2024**

The Regular Board Meeting of the Central Contra Costa Solid Waste Authority's (CCCSWA's) Board of Directors convened at Walnut Creek City Hall, 3rd Floor Conference Room, 1666 North Main Street, Walnut Creek, Contra Costa County, State of California, on May 23, 2024. Chair Gina Dawson called the meeting to order at 3:01 P.M.

PRESENT: Board Members: Candace Andersen, Vice Chair
Newell Arnerich*
Ken Carlson
Gina Dawson, Chair
Matt Francois
Kerry Hillis
John McCormick
Inga Miller
Renee Morgan
Janet Riley
Cindy Silva
Renata Sos
*Arrived After Roll Call

ABSENT: None

Staff members present: David Krueger, Executive Director; Ashley Louisiana, Program Manager; Jennifer Faught, Contract Compliance Specialist; and Deborah L. Miller, CCCSWA Counsel.

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

Chair Dawson led the Pledge of Allegiance.

2. PUBLIC COMMENT ON ITEMS NOT ON THIS AGENDA

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

3. CONSENT ITEM

a. Approve Minutes of the Regular Board Meeting on April 25, 2024

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

MOTION by Board Member Miller to approve Consent Item a, as submitted. SECOND by Board Member Sos.

MOTION PASSED unanimously by a voice vote.

4. PRESENTATIONS

- a. 2024 Waste Reduction Student Scholarships
Board of Director's Recognition and Presentation of 2024 Scholarship Awards to the Waste Reduction Student Scholarship Recipients.

Amanda Halte, Ruth Abbe & Associates, presented scholarship awards to two optimistic environmental leaders who had demonstrated this year that with persistence, passion, and a strong team, they could increase waste reduction on their school campuses. She introduced and presented scholarship awards to Marcus Han of Campolindo High School who would be attending U.C. Davis in the fall majoring in Environmental Toxicology, and Madeleine Park of Monte Vista High School who would be attending U.C. Berkeley in the fall majoring in Business. She described the projects that each had created to motivate high school students to properly sort, to reduce waste by recycling, reusing and repurposing, to look at ways to reduce emissions and to educate on climate change.

Both Marcus Han and Madeleine Park addressed the Board and thanked the Board members for the recognition.

Board Members commended Marcus Han and Madeleine Park for their accomplishments, dedication, and commitment to the future.

5. ACTION ITEMS

Executive Director David Krueger reordered the agenda and requested consideration of Item b, Fiscal Year 2022-23 Funds in Excess of Reserve prior to Item a, Operations and Reuse Fund Budgets for FY 2024-25.

- a. Fiscal Year 2022-23 Funds in Excess of Reserve
Direct staff to distribute the \$1,065,185 of FY 2022-23 funds in excess of the reserve to the individual Member Agency Reserve Funds in accordance with the General Fund Minimum Fund Balance Reserve and Application of Funds in Excess of the Reserve Policy.

Executive Director Krueger noted there was a project that staff wanted to get done this fiscal year to refresh the Refuse Vehicle Impact Fee studies and to budget for that this year, to be funded out of the member agency reserves of the General Fund. He recommended that each member agency's excess reserves be identified and the cost of the study be subtracted from each member agency, with the remaining reserves to ultimately be distributed to the member agencies. A quote for the study had been identified as \$12,400 for each member agency with the exception of Contra Costa County, which had no Refuse Vehicle Impact Fee. He added that the cost of the proposed study compared to the prior study conducted some time ago reflected a \$100 reduction for each member agency.

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

MOTION by Board Member Silva that the Board of Directors distribute the 2022-23 Funds in Excess of Reserve, as shown in the chart in the staff report dated May 23, 2024, to the six member agencies less the \$62,000 that would be allocated toward a Refuse Vehicle Impact Fee Study. SECOND by Board Member Sos.

MOTION PASSED unanimously by a voice vote.

- b. Operations and Reuse Fund Budgets for Fiscal Year 2024-2025
Adopt Operations Fund and Reuse Fund Budgets for Fiscal Year 2024-25, as set forth in Attachments A and B to the Staff Report dated May 23, 2024.

Executive Director Krueger stated that the proposed budget would now have to be amended to reflect the \$62,000 added to the consultant budget to allow the preparation of a Refuse Vehicle Impact Fee Study. He presented the FY 2024-25 Budget Summary and identified the total requirement for revenue to cover all the programs, with the Reuse Program identified as 2 percent overall and the Operations Fund with two components: the amount paid for recyclables at about 4 percent overall and the amount for JPA-related expenses to administer the programs.

Mr. Krueger reported that the proposed budget revenues were expected to be \$8.5 million with expenses of \$6.3 million, with an expected surplus of \$2 million and a fund balance at the end of \$3.5 million. He explained the difference between the expected surplus and the ending fund balance to be the reimbursement to the agency for the procurement costs, a result of the procurement process to be undertaken in 2024-25. That reimbursement surplus would be distributed to the member agencies next year.

Mr. Krueger clarified that the Reuse Fund was always the same amount, never changed and expenses always equaled revenues. He also noted that Mt. Diablo Resource Recovery (MDRR) had never requested an increase in the Reuse Program, although currently and aside, there were negotiations with MDRR to keep the Reuse Program going after the contract expired. To that effect, the actual and current price of the program was being analyzed. He pointed out the balances in the agency's two bank accounts, noted there was a balance in the Reuse Fund from a prior year, and the fund balances for each of the member agencies, with a total of approximately \$16 million in both accounts. He added that one of the reasons for those funds was to smooth garbage rate increases.

Mr. Krueger pointed out the measures taken by Senior Accountant Grace Comas to increase the interest through the agency's accounts, which had benefited the budget.

Mr. Krueger also pointed out projects being undertaken this year and the associated costs with respect to franchise procurement and explained that initially those costs had been estimated at \$530,000 but had since been increased to \$1.3 million for the total cost of the process. He clarified that the successful proposers would be asked to reimburse that amount and noted that amount tracked to the almost \$1 million associated with the last franchise agreement process in 2012.

In response to Board Member McCormick's question as to why there had been a \$530,000 allocation for work in 2024 that had cost almost \$1 million in 2012, Board Member Miller explained why the Finance Committee had made that recommendation based on the information

at that time. The other members of the Finance Committee concurred and noted that staff had been doing a lot of the work to hold down expenses, legal counsel was well under budget

Mr. Krueger reported that RecycleSmart would be getting grant money again from CalRecycle in the amount of \$591,000, which had to be used by May 2026. He explained that \$312,000 would be spent in this fiscal year and the remaining funds in the following fiscal year. Since that grant would likely not be available in the future, the agency would have to cut back or determine how to fund some of the ongoing activities related to SB 1383.

Mr. Krueger also identified one-time expenses for a Waste Characterization Study, a Salary Survey recommended by the Personnel Committee, a 3.5 percent Cost-of-Living Adjustment (COLA) increase for staff recommended by the Personnel Committee and approved by the Finance Committee, along with the Refuse Vehicle Impact Fee Study.

Deborah Miller, CCCSWA Legal Counsel, advised that Government Code Section 54953 (c)(3) required the legislative body to orally report a summary of recommendation for final action on the salaries of local agency executives during an open meeting in which the final action is to be taken. She reported that the proposed Operating Budget included a cost-of-living balance of 3.5 percent for all staff including the Executive Director, effective July 1, 2024. A 3.5 percent increase in the Executive Director's current annual salary equated to \$7,700 for a total compensation of \$227,000.

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

MOTION by Board Member Silva to adopt the Operations Fund and Reuse Fund Budgets for Fiscal Year 2024-25, with an amendment to Attachments A and B to the Staff Report dated May 23, 2024, recognizing the changes to be effectuated post meeting pursuant to the previous action of the Board.
SECOND by Board Member Arnerich.

MOTION PASSED unanimously by a voice vote.

The Board acknowledged Senior Accountant Comas for a job well done.

c. Interagency Agreement with Contra Costa Health Services for SB 1383 Commercial Edible Food Generator Inspections and Program Update

1. Authorize the Executive Director to execute an Interagency Agreement with Contra Costa Health Service for SB 1383 Tier One and Tier Two Commercial Edible Food Generator Inspections. The term of the agreement will be from June 1, 2024 through December 31, 2025, with a total not-to-exceed amount of \$50,546.

Executive Director Krueger stated there was currently a contract with Contra Costa Health Services for SB 1383 Commercial Edible Food Generator Inspections and there was a desire to continue that agreement for another year.

Board Member Silva pointed out an inconsistency in dates in the contract and clarified with Program Manager Ashley Louisiana that the starting date of the contract would be the date of the

electronic signature, which was June 1, 2024. She also noted that some Tier Two senior facilities in Walnut Creek had been listed while others had not, and Ms. Louisiana reported that the list had been developed from the Contra Costa Environmental Health Food Permit list and she would verify that list and urged the Board to identify any sites not listed.

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

MOTION by Board Member Francois to authorize the Executive Director to execute an Interagency Agreement with Contra Costa Health Service for SB 1383 Tier One and Tier Two Commercial Edible Food Generator Inspections for the term from June 1, 2024 through December 31, 2025, with a total not-to-exceed amount of \$50,546. SECOND by Board Member Andersen.

MOTION PASSED unanimously by a voice vote.

2. Accept update on the SB 1383 Edible Food Recovery Program.

Program Manager Ashley Louisiana reported that RecycleSmart's edible food recovery efforts had been ongoing since 2018/2019 after the passage of SB 1383 in 2016. The requirements for generators had started in 2022, and enforcement began on January 1, 2024. She stated that California had passed SB 1383 and included food recovery given a large part of the population that was food insecure. Food recovery was one of the highest and best uses for food even over composting, and the Environmental Protection Agency (EPA) had updated the food recovery hierarchy last year.

Ms. Louisiana identified the requirements for jurisdictions, reported that RecycleSmart had 30 Tier One generators (grocery stores, wholesalers and food distributors) and 34 Tier Two Generators (large restaurants, hotels, health facilities, event facilities and schools). There were 18 food recovery organizations servicing the RecycleSmart service area and 10 physically located in the service area. Contra Costa Health Services agreed to help with a part of the enforcement process starting this year. Most Tier One generators had already been inspected in 22/23 and each Tier Two generator will be inspected in 24/25. Outreach and technical assistance has been provided for several years.

Ms. Louisiana referred to the brochure in the packet that had been mailed out with a notification letter regarding edible food recovery the last three years, and identified the other efforts being undertaken to encourage volunteers, pursue grants, and conduct other special projects. She presented an overview of the budget of \$312,000 for the grant and \$90,000 for edible food recovery, identified the projects expected in the next fiscal year, referred to outreach and videos, recordkeeping and reporting, and noted the interest in a countywide forum to bring food recovery organizations, elected officials and city staff together to talk about edible food recovery needs.

Chair Dawson recognized the work involved in the program and appreciated all those involved to get the job done.

Board Member Francois sought clarity with the inspection process; Ms. Louisiana identified four major requirements that would be checked: to have a contract with a food recovery organization,

donate to the maximum extent possible, not intentionally spoil edible food, and records (pounds per month) had to be maintained. With findings of no compliance, there would be reinspection and technical assistance. There was a budget for reinspection and if the issues were not resolved within 60 days, there could be enforcement.

Ms. Louisiana identified some of the issues involved, noted that some stores had been waiting until the last minute to get into compliance, there were paperwork concerns with some, and some had to donate more. She explained that inspectors had to go into each department regarding donations and if not found donating, they would be marked off as non-compliant and letters would be sent out to find out why. Hopefully, the pounds per month when tracked over a few years should offer some clarity. The statewide requirement is for a 20 percent reduction of 2014 levels, and there was no information from CalRecycle at this point as to whether that requirement would be met. CalRecycle is focusing on program implementation from grant funds.

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

- d. First Amendment to HF&H Consultants, LLC Agreement for Franchise Procurement Services
Approve First Amendment to Provider Services Agreement with HF&H Consultants, LLC for Franchise Procurement Services

Executive Director Krueger advised that the \$330,000 originally budgeted for franchise procurement consultant services would not be sufficient and HF&H Consultants had indicated a need for an additional \$530,000, for a not-to-exceed total of \$860,000. He requested an amendment to the HF&H Agreement to that effect and recommended approval.

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

MOTION by Board Member Arnerich to approve the First Amendment to Provider Services Agreement with HF&H Consultants, LLC for Franchise Procurement Services. SECOND by Board Member Francois.

MOTION PASSED unanimously by a voice vote.

- e. Authorize Position on Initiative 21-0042A1, the “Taxpayer Protection and Government Accountability Act”
Adopt the Resolution in the staff report dated May 23, 2024, opposing position to Initiative #21-0042A1, the Taxpayer Protection and Government Accountability Act, as recommended by the Legislative Committee.

Mr. Krueger reported at the last meeting of the Legislative Committee on May 17, 2024, the Committee had voted to take an oppose position to Initiative #21-0042A1, the Taxpayer Protection and Government Accountability Act.

Board Member Silva reported that the Legislative Committee had recommended taking a position to oppose the California Business Roundtable measure that she stated had been deceptively called the Taxpayer Protection and Government Accountability Act. She reported that all local agencies had taken the position to oppose the measure. Having attended two sessions at the Cal Cities

League Leadership City Summit when Rob Hilton of HF&H had been one of the panelists, the feeling was that the Act could affect local agencies and what local agencies could do collectively in terms of setting rates and fees. She stated the measure was in front of the State Supreme Court right now but if approved by the voters it would restrict the state budget in a way that had not been done in the 175 years since the California Constitution had been adopted wherein any tax increase would have to be approved by the voters. In addition, at the local level it would change the rules for tax measures.

Board Member Silva identified some of the new requirements if the Initiative passed. It would also be retroactive to January 1, 2022.

Board Member Silva urged the Board to take a position against Initiative #21-0042A1 and hoped other agencies would follow suit to get the word out.

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

MOTION by Board Member Carlson to adopt Resolution No. 2024-03, offering an opposing position to Initiative #21-0042A1, the Taxpayer Protection and Government Accountability Act, as recommended by the Legislative Committee. SECOND by Board Member Morgan.

MOTION PASSED unanimously by a voice vote.

6. INFORMATION ITEMS

Reports provided for information only and no Board action required.

a. Executive Director's Monthly Report

Mr. Krueger reported that the number of missed pickups had improved, and things were better. He also explained that in partnership with the Town of Moraga, Saint Mary's College, MDRR and Republic Services, RecycleSmart was offering Reuse and Clean-up Days at Saint Mary's campus for the move-out nearby on Ascot Drive where there were apartments for students. The event would conclude on May 24, 2024.

Chair Dawson had to leave the meeting and Board Member Miller chaired the meeting at this time.

Ms. Louisiana identified the ReThink Disposable (allocated \$20,000) and FoodWare To Go (allocated \$40,000), which were pilot programs to prevent waste.

Ms. Louisiana reported that contracts had been signed with both. The ReThink Disposable program worked with local businesses to transition from single-use items to reusable items. FoodWare To Go worked with businesses to start returnable, reusable take-out and those containers could be returned to any restaurant in the app. She displayed examples of some of the food ware items that could be used up to 100 times, and identified some of the businesses working with the new programs replacing thousands of single-use items with reusables.

Ms. Louisiana responded to comments and explained how leftover take-out would work. There was a deposit involved, which would be returned when the food ware was returned.

She noted the pilot would identify the interest and if the pilot was successful the program could continue.

Board Member Arnerich suggested there could be increased costs or water use involved and there might not ultimately be a positive benefit, especially with food ware that would have a shelf life of 100 uses.

Board Member Hillis noted the concerns but suggested that the pilot program could identify whether the program might be successful.

Board Member Silva commented that containers were not always necessary for take-out food and she questioned whether plastic bags might be a worthwhile alternative. There was also a suggestion to promote smaller portions that might not need to involve leftover containers.

Ms. Louisiana presented small reusable containers to members of the Board for use in retrieving leftovers.

b. Future Agenda Items

Given that there were no agenda items for a June meeting, Mr. Krueger recommended that the June meeting be cancelled.

7. BOARD COMMUNICATIONS AND ANNOUNCEMENTS

There were no Board communications or announcements.

8. ADJOURNMENT

The Board adjourned at 4:40 P.M. to the regular meeting scheduled for Thursday, July 25, 2024 at 3:00 P.M. in the Walnut Creek Offices at Walnut Creek City Hall.

Respectfully submitted by:

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



Agenda Report

TO: CCCSWA BOARD OF DIRECTORS
FROM: JENNIFER FAUGHT, CONTRACT COMPLIANCE SPECIALIST
DATE: JULY 25, 2024
SUBJECT: UPDATE ON 2024 LEGISLATION

SUMMARY

At the last Legislative Committee meeting on May 17, Authority staff and the Committee discussed providing periodic legislative updates to the Committee and Board throughout the legislative season. This report summarizes the development to date of the bills that the Board chose to watch or support this year.

RECOMMENDED ACTION

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

DISCUSSION

Bills that did not make it out of policy committees by July 3rd will not be moving forward this year. Some bills have already died or been parked. Bills that are in a fiscal committee such as Appropriations have until August 16th to move. The Legislature is now on summer recess until August 5th.

In addition, the ballot measure discussed at the last Board meeting will not appear on the November ballot. On June 20 California Supreme Court issued its opinion in the Legislature's challenge to the California Business Roundtable initiative (the Taxpayer Protection and Government Accountability Act), holding that the initiative would constitute a revision to constitution and thus cannot appear on the ballot given that it was proposed through the process for constitutional amendments.

The bills highlighted in green below have been passed by the policy committees with jurisdiction over their subject matter and are now awaiting review by the Appropriations Committee. The bills highlighted in red will not move forward.

RECOMMEND SUPPORT

1.	<p>SB 707 (Newman) –Responsible Textile Recovery Act of 2024 - <i>Support</i></p> <p>SB 707 would enact the Responsible Textile Recovery Act of 2024, which would require producers, as defined, either individually or through the creation of one or more stewardship organizations, to establish a stewardship program for the collection and recycling of covered textiles. The bill would require a program operator to develop a stewardship plan that provides for the collection, transportation, repair, sorting, and recycling, and the safe and proper management of apparel and household textile articles, such as bedding and towels. The bill would require CalRecycle to adopt regulations to implement the act no earlier than July 1, 2028. Bill was last amended June 10. Has received some good industry endorsements, and many large potential opposition groups are in neutral position.</p> <p>Policy Platform: Extended Producer Responsibility; Waste Diversion</p> <ul style="list-style-type: none"> – Cal Cities position: Support – California Product Stewardship Council (CPSC) position: Sponsor – Californians Against Waste (CAW) position: Support <p>Status: In Appropriations Committee</p>
2.	<p>SB 1280 (Laird) – Waste Management: propane cylinders: reusables or refillable - <i>Support</i></p> <p>Would, on and after January 1, 2028, prohibit the sale or offer for sale of propane cylinders other than those propane cylinders that are reusable or refillable.</p> <p>Policy Platform: Extended Producer Responsibility; Toxics Reduction/HHW</p> <ul style="list-style-type: none"> – Cal Cities position: Support – CPSC position: Sponsor – Position on similar bill from last year: Support in Concept <p>Status: In Appropriations Committee</p>
3.	<p>SB 1384 (Dodd) – Powered wheelchairs: right to repair - <i>Support</i></p> <p>Would require manufacturers of wheelchairs to provide parts and information to wheelchair owners and independent repair providers on the same terms as they provide them to authorized repair providers.</p> <p>Policy Platform: Waste Diversion</p> <ul style="list-style-type: none"> – CAW position: Support – CPSC position: Support <p>Status: In Appropriations Committee</p>
4.	<p>SB 1053 (Blakespear and Allen)/AB 2236(Bauer-Kahan) – Solid Waste: reusable grocery bags: standards: plastic film prohibition- <i>Support</i></p> <p>Would eliminate the provision that allows film plastic bags to be distributed as reusable bags. It would also revise the definition of “recycled paper bag” to require it to be made exclusively from</p>

	<p>postconsumer recycled content. Both bills had minor amendments June 20. Favorable voting record.</p> <p>Policy Platform: Waste Diversion</p> <ul style="list-style-type: none"> – Cal Cities position: Watch – CPSC position: Support – CAW position: Support <p>Status: Both bills in Appropriations Committee</p>
5.	<p>AB 2346 (Lee) – Organic waste reduction regulations: procurement of recovered organic waste products - Support</p> <p>Would provide additional procurement options for local jurisdictions in meeting their SB 1383 requirements. As introduced, the bill will allow compost procured from community, on-farm, and backyard compost to count towards a jurisdiction's procurement requirement. It also allows investments in organics infrastructure to count towards procurement and simplifies the use of direct service providers. This bill is sponsored by StopWaste. Last amended June 20.</p> <p>Policy Platform: Healthy Soils, Market and Economic Development</p> <ul style="list-style-type: none"> – Cal Cities position: Support <p>Status: In Appropriations Committee</p>
6.	<p>SB 972 (Min) – Methane emissions: organic waste: landfills - Support</p> <p>The bill would require CalRecycle, CARB, and the California Environmental Protection Agency to hold at least 2 joint meetings per calendar year to coordinate their implementation efforts to accomplish the goals within SB 1383 (Lara, 2016) and other climate goals, including zero-emission vehicles and water conservation goals, where organic waste could be re-used.</p> <p>Policy Platform: Waste Diversion</p> <ul style="list-style-type: none"> – Cal Cities position: Sponsor <p>Status: In Appropriations Committee</p>
7.	<p>AB 2311 (Bennett) – Greenhouse Gas Reduction Fund: grant program: edible food - Support</p> <p>Would expand existing CalRecycle grants to include eligibility for transportation for edible food recovery projects. The bill builds on an existing grant program administered by CalRecycle to reduce greenhouse gas emissions in the State by expanding or creating new projects to reduce, recycle, or reuse recyclable materials, including organic material. Specifically, it will make the transportation of recovered edible food and the purchase or subscription to technology or software that improves the efficiency and tracking of edible food recovery, eligible for grant funding.</p> <p>Policy Platform: Waste Diversion</p> <ul style="list-style-type: none"> – Cal Cities position: Support <p>Status: In Appropriations Committee</p>

8.	<p>AB 863 (Aguiar-Curry) – Carpet recycling: carpet stewardship organizations: fines: succession: training - Support</p> <p>Would increase potential penalties on CARE from \$10,000 to \$50,000 per day, as well as stipulate that repeated violations render a stewardship organization ineligible to continue operating. It also has been amended to include resilient flooring, as defined, as well as to require a statewide needs assessment. It would also require producers of covered products to form and join a single product responsibility organization. The bill is sponsored by the National Stewardship Action Council.</p> <p>Policy Platform: Waste Diversion; Extended Producer Responsibility</p> <ul style="list-style-type: none"> – Cal Cities position: Pending, previously Support – CPSC position: Support – CAW position: Support <p>Status: In Appropriations Committee</p>
9.	<p>AB 817 (Pacheco) – Open meetings: teleconferencing: subsidiary body - Support</p> <p>This bill, until January 1, 2026, would authorize a subsidiary body, as defined, to use similar alternative teleconferencing provisions and would impose requirements for notice, agenda, and public participation, as prescribed. In order to use teleconferencing pursuant to this act, the bill would require the legislative body that established the subsidiary body by charter, ordinance, resolution, or other formal action to make specified findings by majority vote, before the subsidiary body uses teleconferencing for the first time and every 12 months thereafter.</p> <p>Policy Platform: Governance and Accountability</p> <ul style="list-style-type: none"> – Cal Cities position: Sponsor <p>Status: Dead</p>
10.	<p>SB 537 (Becker) – Open meetings: multijurisdictional, cross-county agencies: teleconferences - Support</p> <p>Current law, until January 1, 2026, authorizes the legislative body of a local agency to use alternative teleconferencing in certain circumstances related to the particular member if at least a quorum of its members participates from a singular physical location that is open to the public and situated within the agency’s jurisdiction and other requirements are met, including restrictions on remote participation by a member of the legislative body. These circumstances include if a member shows “just cause,” including for a childcare or caregiving need of a relative that requires the member to participate remotely. This bill would expand the circumstances of “just cause” to apply to the situation in which an immunocompromised child, parent, grandparent, or other specified relative requires the member to participate remotely. The bill would authorize the legislative body of a multijurisdictional, cross-county agency, as specified, to use alternate teleconferencing provisions if the eligible legislative body has adopted an authorizing resolution, as specified. The bill would also require the legislative body to provide a record of attendance of the members of the legislative body, the number of community members in attendance in the teleconference meeting, and the number of public comments on its internet website within 10 days after a teleconference meeting, as specified. The bill would require at least a quorum of members of the legislative body to participate from one or more physical locations that are open to the public and within the boundaries of the territory over which the local agency exercises jurisdiction.</p>

	<p>Policy Platform: Governance and Accountability</p> <ul style="list-style-type: none"> – Cal Cities position: Support <p>Status: Gut and amend; original bill not moving forward</p>
11.	<p>SB 1143 (Allen) – Household hazardous waste: producer responsibility - Support</p> <p>Would establish a producer responsibility organization for Household Hazardous Waste, which would be charged with financing, operations, and proper disposal. The bill is sponsored by the National Stewardship Action Council.</p> <p>Policy Platform: Extended Producer Responsibility; Waste Diversion; Toxics Reduction/Household Hazardous Waste</p> <ul style="list-style-type: none"> – Cal Cities position: Support – CPSC position: Support – CAW position: Support <p>Status: In Appropriations Committee</p>

RECOMMEND SUPPORT IN CONCEPT

12.	<p>AB 2 (Ward) – Recycling: solar photovoltaic modules - Support in Concept</p> <p>Beginning January 1, 2028, the bill would require a solar photovoltaic module, that is not a customer-owned solar PV module, to be included in a plan that describes how the module will be managed at the end of its useful life, who is responsible for managing it, and how it will be recycled, refurbished, or reused. This bill was amended most recently on June 28. It and related bill AB 1238 will be parked for the year.</p> <p>Policy Platform: Extended Producer Responsibility; Waste Diversion; Toxics Reduction/Household Hazardous Waste</p> <ul style="list-style-type: none"> – Cal Cities position: Support <p>Status: Parked; not moving forward this year</p>
13.	<p>SB 615 (Allen) – Electric vehicle traction batteries - Support in Concept</p> <p>Would require all electric vehicle traction batteries, as defined, sold with motor vehicles in the state to be recovered and reused, repurposed, remanufactured, or recycled at the end of their useful life in a motor vehicle or any other application. The bill would also require a vehicle manufacturer, dealer, automobile dismantler, automotive repair dealer, and nonvehicle secondary user to be responsible for ensuring the responsible end-of-life management of an electric vehicle traction battery once it is removed from a vehicle or other application to which the electric vehicle traction battery has been used. Last amended June 11.</p> <p>Policy Platform: Extended Producer Responsibility; Waste Diversion</p> <ul style="list-style-type: none"> – Cal Cities position: Support in Concept <p>Status: In Appropriations Committee</p>

14.	<p>AB 1238 (Ward) – Hazardous Waste: solar panels - Support in Concept</p> <p>Most of the former AB 2 was moved into this bill for convenience. Both AB 2 and AB 1238 will be held this year.</p> <p>Policy Platform: Waste Diversion</p> <ul style="list-style-type: none"> – Cal Cities position: Watch – <p>Status: Parked; not moving forward this year</p>
15.	<p>AB 2762 (Friedman) -- Plastic waste: California Reusable Beverage Container Act - Support in Concept</p> <p>Would establish the California Reusable Beverage Container Act to encourage manufacturers and distributors of beverages sold in California to reduce the sale of beverages in single-use beverage containers while concurrently increasing the sale of beverages in reusable beverage containers, as provided, as well as stipulate the creation of a Reusable Beverage Container Managed System to oversee, govern, and facilitate reuse across industry stakeholders.</p> <p>Policy Platform: Waste Diversion; Packaging Reduction/Plastic Pollution</p> <ul style="list-style-type: none"> – Cal Cities position: Watch – CPSC: Support – CAW position: Support <p>Status: Dead</p>

RECOMMEND WATCH

16.	<p>AB 660 (Irwin) – Food labeling: quality dates, safety dates, and sell by dates - Watch</p> <p>Would require the Department of Food and Agriculture to, in consultation with the State Department of Public Health, before January 1, 2025, publish information to assist food manufacturers, processors, and retailers responsible for the labeling of food products to use specified terms on food product labels to communicate quality dates and safety dates, as provided. The bill would, on and after January 1, 2025, prohibit a person from selling or offering for sale in the state a food item that is not labeled in accordance with these terms. The bill would, on and after January 1, 2025, prohibit a person from selling or offering for sale in the state a food item that is labeled with the phrase “sell by,” as specified. The bill would also require the State Department of Public Health to make certain updates to its regulations involving the California Retail Food Code, as provided. Although we had heard that this bill would not be moving forward, it did pass out of policy committee on 6/18 and is now in Appropriations.</p> <p>Policy Platform: Waste Diversion, Food Waste Reduction and Recovery</p> <ul style="list-style-type: none"> – CPSC position: Support – CAW position: Co-sponsor with NRDC – Last year RecycleSmart position: Support <p>Status: In Appropriations Committee</p>
-----	--

17.	<p>SB 1167 (Blakespear) – Solid waste: single-use drinking vessels - Watch</p> <p>Would prohibit chain restaurants from providing single-use drinkware to customers who are consuming their beverage on the premises.</p> <p>Policy Platform: Waste Diversion, Packaging Reduction/Plastic Pollution</p> <ul style="list-style-type: none"> – Cal Cities position: Watch – CPSC position: Support – CAW position: Co-Sponsor with 5 Gyres, Heal the Bay, and Surfrider Foundation <p>Status: Dead. Did not pass Senate Environmental Quality Committee</p>
18.	<p>AB 2577 (Irwin) – Organic waste: reduction regulations - Watch</p> <p>Would require CalRecycle to include product labeling requirements that reduce food waste in existing edible food recovery efforts.</p> <p>Policy Platform: Food Waste Reduction and Recovery, Waste Diversion</p> <ul style="list-style-type: none"> – Cal Cities position: Watch – CPSC position: Support – CAW position: Sponsor <p>Status: Dead. Held by Assembly Appropriations Committee</p>
19.	<p>SB 1426 (Blakespear) -- Waste reduction: undiverted materials - Watch</p> <p>Would make a change in the Public Resources Code to provide that if certain organic waste services are not offered through local ordinance or franchise, organics may be collected and processed by others; and that exclusivity in a franchise or permit cannot “exceed” the services required to be performed and actually performed.</p> <p>Policy Platform: Waste Diversion</p> <ul style="list-style-type: none"> – Cal Cities position: Concerns <p>Status: Dead. Did not pass Senate Environmental Quality Committee</p>
20.	<p>AB 2632 (Wilson) – Planning and zoning: thrift retail stores - Watch</p> <p>Would add an article to the Government Code providing that cities may not treat a thrift retail store differently from a nonthrift retail store for purposes of zoning, development standards, including, but not limited to, height, size, parking requirements, or setbacks from adjacent uses, or permitting.</p> <p>Policy Platform: Governance and Accountability</p> <p>Status: In Appropriations Committee</p>



Agenda Report

TO: CCCSWA BOARD OF DIRECTORS
FROM: DAVID KRUEGER, EXECUTIVE DIRECTOR
DATE: JULY 25, 2024
SUBJECT: EXECUTIVE DIRECTOR'S MONTHLY REPORT

SUMMARY

Central Contra Costa Solid Waste Authority (Authority) staff performs high-level programmatic and administrative tasks each month to provide outreach and education to residents, businesses, and schools to increase diversion and instill waste prevention practices. Staff manages the franchise agreements and customer service in addition to monitoring monthly reporting by our service providers. Staff also actively engages with Member Agency staff, community groups, and regional partners on a variety of topics including SB 1383, legislation, and industry best practices.

RECOMMENDED ACTION

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

DISCUSSION

Notable Events:

- Republic met the new service quality metric of 2,700 or fewer containers missed from residential subscribers on incomplete routes for the first three four-week periods subject to the new metric of no more than 2,700 containers missed per four-week period on single-family routes. Meeting the metric for these four-week periods means that Republic will receive a special rate increase of \$851,499 (\$283,833 times three) in Rate Year 11 (March 1, 2025 – February 28, 2026). The maximum special rate increase available to Republic for Rate Year 11 is \$1,986,829, which can be earned in seven increments of \$283,833 for meeting the service quality metric for seven four-week periods.
- The monthly Member Agency liaison meeting was held on June 13. Notes from the meetings are circulated to the liaisons. During the June meeting, discussion items included the new Reuse, Repair and Thrift resource tool, the regional Bay Area Recycling Outreach Coalition (BayROC) campaign focusing on “Reuse to Go,” the availability of Eco Hero educational assemblies in schools, how the member agencies use their CalRecycle Beverage Container grant funds, and

the availability of “Clear Stream” recycling, organics and landfill containers for community events. There was no meeting in July due to lack of business.

Member Agency Liaisons				
Member Agency	Name	Title	Email	Phone
County	David Brockbank	Conservation Programs Manager	David.Brockbank@dcd.cccounty.us	(925) 655-2911
Danville	Cat Bravo ¹	Management Analyst	cbravo@danville.ca.gov	(925) 314-3377
Lafayette	Anna Tolle	Planning Technician	ATolle@ci.lafayette.ca.us	(925) 299-3205
Orinda	Darin Hughes	Assistant Planner	dhughes@cityoforinda.org	(925)253- 4269
Moraga	Brian Horn	Senior Planner	bhorn@moraga.ca.us	(925) 888-7044
Walnut Creek	Candice Rankin Mumby	Sustainability Manager	rankinmumby@walnut-creek.org	(925) 943-5899 x2304

- The Authority developed an online resource tool to locate reuse, repair and thrift retailers and organizations in the service area to encourage waste prevention opportunities: www.recyclesmart.org/reuse
- On June 25 a Republic Services truck caught on fire. This is often the result of hazardous materials, including batteries, being improperly disposed of in curbside carts/bins, which is illegal in California. Republic Services is developing an outreach mailer to encourage the proper recycling and disposal of hazardous materials.
- Mixed Construction and Demolition (C&D) materials received at the Contra Costa Transfer and Recovery Station (CCTRS) in Martinez, owned and operated by Republic Services, are now being transloaded to Mt. Diablo’s Resource Recovery facility in Pittsburg for improved processing to increase diversion. In 2024, over 900 projects representing over 5,500 tons of Mixed C&D was delivered to the CCTRS from the Authority service area. Previously, Republic Services was transloading C&D to its Newby Island recycling facility in San Jose.
- On August 1st each year, staff submits the Electronic Annual Report to CalRecycle. This report provides the state with data demonstrating Authority compliance with SB 1383, AB 939, AB 341 and AB 1826. Staff works with Republic Services, member agency liaisons, county staff and contractors to prepare the report. The report has been completed and will be submitted by the deadline.
- The Authority and Republic Services attended the following community events in June and July:
 - Orinda Wildfire Prevention and Safety Fair, June 1 (promoting extra yard trimmings services)

¹ Kristine Meidberg will be covering for Cat Bravo while Cat is on maternity leave.

- Orinda Opera in the Park, June 20
 - Orinda 4th of July
- First RecycleSmart “Eco Hero” Sustainability Summer Camp. The Authority partnered with the City of Orinda to pilot the first youth one-week camp with about 30 kids ages 5-11. Camp was held 9-noon each day. The Authority contracted with two local education professionals to develop the curriculum and teach the camp. Activities were hands-on with a focus on food waste reduction, composting, growing the food we eat, soil health, worms and decomposers, pollinators, zero waste, reusables, proper sorting and touched on water conservation and other sustainability practices. Two field trip days were planned with a visit to Mt. Diablo Resource Recovery in Pittsburg and Rodgers Ranch Urban Farm in Pleasant Hill.

SB 1383 Completed and Ongoing Activities in June and July

The SB 1383 budget and activities are currently funded by CalRecycle SB 1383 local assistance grant funds.

- Capacity Planning. SB 1383 requires local jurisdictions to demonstrate adequate capacity to process edible food and organics recovered from commercial and residential generators. Local jurisdictions report capacity information to the County; the County then reports to CalRecycle on behalf of every jurisdiction. The recently completed capacity planning covers the period of January 1, 2025 – December 31, 2034.
 - Edible Food Recovery. The Authority contracted with Environmental Science Associates (ESA) to complete the edible food recovery capacity planning component. The purpose of the study is to determine how much edible food is currently being disposed of by Tier One and Tier Two generators in our service area, how much edible food is currently being collected by edible food recovery organizations physically located in the service area, and how much more edible food could be recovered if the food recovery organizations had additional resources such as storage (including refrigeration/freezer), technology, staff and volunteers. The study determined that the edible food recovery organizations that serve Tier One and Tier Two generators have and will continue to have adequate capacity to collect the expected pounds of extra food generated that are available for donation. While there does seem to be capacity, local food recovery organizations did request funding, volunteers, staff, technology, storage, assistance with landfill disposal costs and supplies.
 - Processing Capacity. Using a tool provided by CalRecycle which factors in population growth over the next ten years, staff determined the number of organics tons that are and will be generated by residents and businesses. Staff confirmed that our current contract for composting at Forward Compost Facility guarantees adequate capacity to process tons generated and confirmed that all the post collection proposals recently received in response to the Authority’s procurement for post-collection services guarantee that all collected organics tons will be accepted and processed.

Staff participated in or attended the following meetings in June and July

- Orinda Mayor's meeting, June 11 and July 9
- Moraga Monthly Community Meeting, June 14 & July 12
- AB 2346 (SB 1383 Procurement modifications) stakeholder meeting, June 14 and July 15
- CalRecycle Electronic Annual Report webinar, June 18
- Orinda Opera in the Park, June 20
- California Product Stewardship Council Associates meeting, June 20
- Zero Waste Now Monthly Meeting. June 24
- California Organics Recycling Council webinar on compostable plastics, June 28
- Central San Nutrient Discharge to the Bay Presentation, July 1
- Orinda 4th of July, July 4
- BayROC Working Group meeting, July 9
- Lafayette Environmental Task Force meeting, July 11
- AB 939 quarterly Manager's meeting, July 16
- Alameda County Recycling Markets Network field trip to Tri-Ced Recycling and Ming's Recycling, July 18

Future Agenda Items

TYPE	BOARD MEETING: 09/26/2024
C	Approve 7/25/2024 Minutes
I	Executive Director's Monthly Report
I	Republic's Collection Service Quality Metrics
P	2023-24 Schools Program Report
P	Solid Waste Collection Rates for Rate Year 11

TYPE	BOARD MEETING: 10/24/2024
C	Approve 09/26/2024 Minutes
A	Award Post-Collection Service Agreements
A	Award Reuse and Cleanup Services Agreement
A	Issue Collection Service Request for Proposal
I	Executive Director's Monthly Report
I	Republic's Collection Service Quality Metrics
P	Final 2024 Legislation Update

TYPE	BOARD MEETING: 12/12/2024
C	Approve 10/24/2024 Minutes
I	Executive Director's Monthly Report
I	Republic's Collection Service Quality Metrics
P	Solid Waste Collection Rates for Rate Year 11

TYPE

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