



**SOLANO
COUNTY**

COUNTY ADMINISTRATOR'S OFFICE

To: Board of Supervisors
From: Birgitta E. Corsello, County Administrator
Date: March 9, 2022
Subject: Significant Issues Update

1) Update, SB 1383, Mandatory Collection and Processing of Organic Waste

Amendments to Contractors' Service Agreements

Background Information

California's enactment of Senate Bill (SB) 1383, the Short-Lived Climate Pollutants Bill of 2016, has established regulatory requirements for local government jurisdictions, generators, haulers, solid waste facilities, and other entities to support achievement of statewide Organic Waste Disposal reduction targets beginning January 1, 2022. The California Department of Resources Recycling and Recovery (CalRecycle) is the state agency responsible for evaluating SB 1383 compliance. Failure to comply with SB 1383 requirements can result in CalRecycle penalizing a jurisdiction up to \$10,000 per day, per violation. Mount Diablo Resource Recovery, Republic Services, Recology Vacaville Solano, and Recology Vallejo (collectively the "Contractors") have been long-time providers of solid waste, recyclables, and green waste collection in unincorporated Solano County and surrounding cities and the last major amendment to their agreements was in 2014, which aligned requirements with changes to solid waste laws and extended terms through December 31, 2024. (See Attachment A for Waste Hauler Service Areas)

SB 1383 Organic Waste Collection and Processing Requirements

At the Board's October 26, 2021 meeting, the Department of General Services was authorized to negotiate an amendment with Contractors to comply with SB 1383 collection and processing requirements. This includes Contractor-provided receptacles and organic waste diversion.

Low Population Waiver

SB 1383 allows the County to apply for a low population waiver for specific unincorporated areas where a limited number of residents would create a small organic waste footprint. The County's waiver application to CalRecycle was approved on February 7, 2022, and includes 35%, or 1,988 subscribers and accounts for 35% of the 5,690 subscribers not subject to SB 1383 organic waste collection requirements through February 7, 2027. At a future date if a waiver no longer applies, a phase two contract will need to include a provision of services for those subscribers.

Mount Diablo Resource Recovery

Mount Diablo Resource Recovery (MDRR), serving unincorporated Rio Vista general area, is the only Contractor whose entire service area is within the approved low population waiver area. It affects all 135 of its subscribers. MDRR has been informed that an amendment is not warranted due to the County's waiver from requiring organics collection on all generators located in approved census tracts.

Republic Services

Republic Services (Republic) has 1,544 subscribers and is generally in the unincorporated area of the county adjacent to Fairfield and Suisun City. It is the only Contractor whose service agreement already contains language adequately addressing SB 1383 requirements as a result of service changes in 2014.

As a result, the Contractor has been informed that an amendment is not warranted and is to operate business as usual.

Service Agreement Amendments

There are two contractors whose agreements will require amendment. At its November 25, 2014 meeting, the Board delegated signing authority to the Director of General Services to execute amendments and any subsequent modifications to the service agreements with the Contractors that are administrative in nature. General Services will amend agreements with the following contractors:

Recology Vacaville Solano

Recology Vacaville Solano's (RVS) service area contains a large area that falls within the County's approved low population waiver area. Approximately 65%, or 1,947 of its 3,033 subscribers, are not subject to SB 1383 organic waste collection requirements due to the waiver granted. Like Republic, the RVS agreement already addresses the bi-annual waste evaluation requirement of SB 1383 as a result of service changes in 2014. However, unique to this community is the receipt of two green waste passes in lieu of weekly roadside collection. This is due to the generation of larger volumes relative to parcel size and/or agricultural activity. Property owners traditionally manage their organic material through on-site composting or permitted burns. While this activity is not SB 1383 compliant, it will remain intact. To address the requirements for the 1,086 customers subject to SB 1383, the Contractor agrees to augment green waste service immediately upon execution of an amendment and in exchange, the County agrees to meet and confer with Contractor on a time extension to its contract.

Recology Vallejo

Recology Vallejo (RVJO) has 978 subscribers, generally in the unincorporated areas around Vallejo and Benicia, all of whom are subject to SB 1383 collection and processing requirements. Like Republic and RVS, service changes in 2014 to RVJO's current agreement includes all but one of the SB 1383 requirements. RVJO agrees to augment its green waste service immediately upon execution of an amendment and in exchange, the County agrees to meet with Contractor and confer on a time extension:

Meet and Confer

SB 1383 is an unfunded mandate that has imposed significant requirements on jurisdictions. The cities within the county have engaged consultants to negotiate organic waste collection requirements with their respective Contractors. To date, the City of Vacaville is the only jurisdiction within the county to have executed an agreement to comply with SB 1383 requirements and has extended their contract term to 2030, with two 5-year extensions. Republic Services has proposed a similar term extension through 2035, with one 5-year extension for the City of Fairfield to consider at its upcoming City Council meeting on March 15, 2022. Negotiations are underway between Mt. Diablo Resource Recovery and the City of Rio Vista, as well as with Recology Vallejo and the City of Vallejo, with whom we also share contractors.

The Department of General Services has agreed to meet and confer in exchange for no rate increases to current contracts in order to immediately implement the requirements of SB 1383 by amendment with both Recology Vacaville Solano and Recology Vallejo. Staff has extended the meet and confer to Mt. Diablo Resource Recovery and Republic Services in light of current negotiations with the cities. Contract term extensions will be brought to the Board for consideration at a future date.

Discussions with service providers for County Facilities

General Services, in addition to garbage franchises for the unincorporated county, also manages all county facility contracts with service providers. Staff have entered discussions with all providers and have determined the following:

- Received quote from custodial supply vendor for countywide waste stream internal receptacles needed to comply with regulations - \$153,356.64.

- SB1383 local assistance grant meeting with Resource Management – application submittal for \$12,500 to go towards compost containers and compostable bags – waiting on final review and funding
- Working with all providers to standardize collection and receive quotes on unit pricing for large compost dumpsters
- Recology (Vallejo) - Recology **will not** accept compost liners for interior receptacles – No fines will be levied against the county during first year of transition.
- Republic Services (Fairfield) - Republic **will** accept compost liners for interior receptacles – No fines will be levied against the county during first year of transition.

(((See 2022 Garbage Haulers Map PDF attachment on pg. 5)))

Contact: Megan Greve, Director of General Services
(707) 784-7902 and MMGreve@SolanoCounty.com

2) Update on County Expenditures to Provide Personal Protective Equipment

During the COVID-19 pandemic health emergency, the County provided personal protective equipment (PPE) to all Solano County employees for a total cost of \$2,405,294. The Department of General Services spent \$2,198,949 to provide PPE to all Solano County employees from May 2020 through February 2022 . The Registrar of Voters spent \$206,345 to provide PPE to County employees and extra help during the 2020 and 2021 election cycles. PPE expenditures included masks, gloves, hand sanitizer, wipes, sneeze guards, and disinfectant and sanitizer sprays.

In addition to PPE provided to all County employees and extra help during the election, other equipment and materials were also purchased to mitigate, and/or eliminate spread of the COVID-19 virus. This equipment includes thermometers, batteries, signs and floor stickers, markers, hand sanitizing stations and mats, COVID-19 testing kits, additional (specialized) janitorial supplies, HVAC and furnace air filters and air scrubbers. The County also provided customized plexiglass barriers, vehicle sanitation (for pool vehicles), and computer equipment necessary for employees to telework from home. Additionally, the Department of Health and Social Services purchased and distributed PPE to department employees who work in various healthcare settings – and continue to do so to this day. The costs to H&SS are not included in the total reported amounts.

It is important to note that the final reported amounts do not include internal labor costs for additional cleaning, procurement, distribution of PPE and administering COVID-19 testing for required departments. The costs associated with performing these additional tasks are absorbed as part of the departments operating budget.

Contact: Megan Greve, Director of General Services
(707) 784-7902 and MMGreve@SolanoCounty.com

3) Update and Status of County Code Compliance Activity by the Department of Resource Management

During the last quarter of 2021 (October 1, 2021 through December 31, 2021), the Department of Resource Management received 69 complaints associated with 64 cases. Of the complaints received, 27, or 39%, were related to property maintenance issues; 21, or 30%, were related to building permit issues; 15, or 22% were related to zoning issues; and 6, or 9%, were related to grading issues. During the same time, Department staff resolved and closed 22 cases.

The Department has been involved in several on-going complaint cases involving coordination with

County Counsel and other departments in the County. This includes a case located on Clark Road that was raised by Supervisor Mashburn at the third quarter update to the Board on September 28, 2021. Specific to that case, staff from several divisions within the Department along with the Agriculture Department performed inspections at the site. While no violations of hazardous materials or pesticide state regulations were discovered, the Department continues to address violations observed related to building and grading permits and to a damaged, permitted sewage disposal system. Another complaint case on Lewis Road, which was litigated in court, has seen the removal or repair of approximately 100 inoperative vehicles, removal of most junk and debris from the property, correction of improper grading, and cessation of illegal business activity.

The Code Compliance Section in the Building and Safety Division is assigned most of the County code compliance cases within the Department. Currently only one of the two allocated Code Compliance Officer (CCO) positions is filled. The Department is actively working with Human Resources to recruit the vacant CCO position and will be requesting an additional full-time CCO at midyear.

Contact: Terry Schmidtbauer, Director of Resource Management
(707) 784-6765 and TSchmidtbauer@SolanoCounty.com

2022 Garbage Haulers

Legend

Solid Waste Collectors

- Mt. Diablo Resource Recovery
- Recology Vacaville Solano
- Recology Vallejo
- Republic Services
- Qualifying Census Tracts
- Other Census Tracts
- City Limits
- Highways
- Other Roads

