



DATE: April 14, 2015

CATEGORY: Consent

DEPT.: Public Works

TITLE: **Authorize Countywide AB 939 Implementation Fee and Countywide Household Hazardous Waste Collection Program Agreements, Fiscal Years 2016-18**

RECOMMENDATION

Authorize the City Manager, or designee, to:

1. Execute agreements with the County of Santa Clara to collect and administer the Countywide AB 939 Implementation Fee and Countywide Household Hazardous Waste Program from July 1, 2015 through June 30, 2018.
2. Increase the yearly augmentation amount (estimated at \$45,000 each year), if needed, based upon actual participation and program costs during each year of the agreement.

BACKGROUND

All cities and counties are required under provisions of AB 939 (the California Integrated Waste Management Act of 1989) to implement and administer source reduction and recycling programs and to provide a way for residents and small businesses to dispose of household hazardous waste.

Since 1992, the City has participated in the Santa Clara County Household Hazardous Waste (HHW) Collection Program to satisfy these State-mandated requirements. The HHW Collection Program is a successful, cooperative effort between the County and cities within the County to provide legal, convenient, and economical services for residents to dispose of household hazardous wastes. To participate, the City executes Collection Program and Implementation Fee Agreements with three-year terms. The most recent agreements were approved by the City Council on May 8, 2012.

ANALYSIS

The recommended agreements are for three-year terms beginning July 1, 2015 and expiring June 30, 2018. The County collects the AB 939 fee on behalf of cities within the County and each city contracts individually with the County for fee collection. All 15 cities and the County must approve the agreements by June 5, 2015 to ensure uninterrupted service.

The AB 939 funds are collected by the County in the form of a tipping fee charged on each ton of waste landfilled. The fee approved by the Council on May 8, 2012 was \$4.10 per ton. For Fiscal Years 2016-18, the proposed agreement keeps the fee unchanged at \$4.10 per ton. Under State law, this revenue is restricted to funding only AB 939-related costs. The \$4.10 per-ton fee will generate an estimated \$5.0 million in Fiscal Year 2015-16 and is divided into two parts:

1. A \$1.50 per-ton program fee generating \$1.8 million to assist in funding the costs of preparing, adopting, and implementing the Integrated Waste Management Plan (IWMP) in the 15 cities and the unincorporated area of the County. The IWMP is a Countywide plan to ensure effective and efficient integrated waste management throughout the County, the sustainability of the community, and conserve natural resources and landfill capacity.
2. An HHW fee of \$2.60 per ton generating \$3.2 million to provide funding to implement the Countywide HHW Collection Program.

This funding allows for a maximum participation level of 4 percent of the households in Mountain View, which is based upon the average Countywide HHW participation levels for the past six years.

The proposed agency agreement for the Countywide HHW Collection Program also allows cities to augment funding beyond the 4 percent participation level if needed. Based on Mountain View's historical participation level of nearly 5 percent, the proposed agreement includes a \$45,000 augmentation from the Solid Waste Fund to meet Mountain View's anticipated participation levels for next fiscal year.

Residents may call the County HHW hotline at (408) 299-7300 to schedule an appointment at a disposal event, anytime during the year, or obtain information about safe, alternative, nontoxic products. The County coordinates public outreach while the City advertises the program services in the *Resource* newsletter, on the City's website, and on KMTV.

FISCAL IMPACT

Program funding is included in the City's SMaRT Station® budget which partially derives revenues from tipping fees charged on each ton of waste generated in Mountain View that is landfilled in Santa Clara County. The County HHW Collection Program currently estimates 4 percent of households in each city will dispose of hazardous waste in any one year. However, in Mountain View, the City Council has augmented funding every year since 2004 to support actual participation by City residents which is typically closer to 5 percent.

A \$45,000 annual augmentation for each fiscal year of the 2016-18 agreements is typically included in the City's Solid Waste operating budget to fund the higher participation.

ALTERNATIVES

Do not sign the agreements. The \$4.10 AB 939 funding would be eliminated. Each city and the County would then need to decide how to fund and implement an HHW program which would comply with State requirements.

PUBLIC NOTICING – Agenda posting.

Prepared by:

Cary Bloomquist
Administrative Analyst II

Lori Topley
Solid Waste Program Manager

Approved by:

Mike Fuller
Public Works Director

Daniel H. Rich
City Manager

CB-LT/3/CAM
921-04-14-15CR-E

Attachments: 1. Agreement for Countywide AB 939 Implementation Fee
2. Agreement for Countywide Household Hazardous Waste
Collection Program

cc: TBM, F/C