



## AGENDA REPORT SUMMARY

**Meeting Date:** April 25, 2023

**Subject:** Consider authorizing the City Manager to execute the Second Amendment to the Agreement for Countywide Household Hazardous Waste Collection Program to provide for funding from the City of Los Altos in the amount of \$77,447 for the Countywide Hazardous Waste Disposal Program for FY 2023/24, and consider finding the Council's action exempt from review under the California Environmental Quality Act pursuant to CEQA Guidelines Section 15273

**Prepared by:** Casey Leedom, Sustainability Coordinator

**Reviewed by:** Aida Fairman, Director of Environmental Services and Utilities

**Approved by:** Gabriel Engeland, City Manager

**Attachments:**

1. Second Amendment for Countywide Household Hazardous Waste Collection Program (HHW)
2. Executed Agreement for Countywide Household Hazardous Waste Collection Program (FY 2022-24)
3. Executed Agreement for Countywide AB 939 Implementation Fee (FY 2022-24)
- A. Resolution No. 2023-\_\_\_\_

**Initiated by:**

Staff

**Previous Council Consideration:**

Annually since FY 2015

**Fiscal Impact:**

The amount of \$77,447 for funding augmentation of the HHW Program is included as an expense in the proposed FY 2023/24 Solid Waste Budget, in which there are sufficient funds. (Amount shown here is calculated based on anticipated resident participation from Los Altos; actual funding augmentation for FY 2023/24 will be based on actual resident participation.)

- Breakdown of funds to be used for funding augmentation for the HHW Program per the Agreement:
  - o \$77,447 Solid Waste Fund

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City Manager

GE

**Reviewed By:**

City Attorney

JH

Finance Director

JD

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**Subject:** Countywide Household Hazardous Waste Collection Program and AB 939 Implementation Fee

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- Amount already included in approved budget: N

**Environmental Review:**

Approval of the Second Amendment to the Agreement for Countywide HHW Collection Program is exempt from environmental review under the Environmental Quality Act (CEQA) pursuant to Section 15273(a) of the CEQA Guidelines because CEQA does not apply to the establishment, modification, structuring, restructuring, or approval of rates, tolls, fares, and other charges by public agencies which the public agency finds are for the purpose of meeting operating expenses.

**Summary:**

- On May 11, 2021, the City Council approved agreements for the City's participation with Santa Clara County for Household Hazardous Waste (HHW) Program management, which must be amended annually.
- HHW is an important component of solid waste diversion, and it is illegal to dispose of hazardous waste in sanitary landfills. This program provides residents with a safe method to dispose of items that require special handling.

**Staff Recommendation:**

Authorize the City Manager to execute the Second Amendment to the Agreement for Countywide Household Hazardous Waste Collection Program



**Subject:** Countywide Household Hazardous Waste Collection Program and AB 939 Implementation Fee

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### **Purpose**

Authorize the City Manager to execute the Second Amendment to the Agreement for Countywide Household Hazardous Waste Collection Program.

### **Background**

On May 11, 2021, the City Council approved a three-year agreement for the City's participation with Santa Clara County for Household Hazardous Waste (HHW) Program management. This agreement expires on June 30, 2024. The City has participated in the program since 2000. The Countywide HHW Collection program enables residents to conveniently dispose of small quantities of hazardous waste at any of the collection facilities in the County. Hazardous waste is not allowed to be placed in household garbage containers. Household waste includes, but is not limited to, cleaning products, mercury thermostats, pesticides, flammable liquids, corrosives, solvents, car batteries, used motor oil, antifreeze, paint, fluorescent lights, and electronic waste.

AB 939 mandates and provides authority for agencies to collect funds for the planning and implementation of integrated waste management programs, which include programs for the diversion of waste from landfills. The HHW is a minor but important part of the diversion of waste from landfills. It is illegal to dispose of hazardous waste in sanitary landfills. This program provides residents with a safe method to dispose of items that require special handling.

The agreements with the County for HHW Program and AB 939 implementation provide for the collection of fees on waste disposed of or treated at County landfills. The agreement provides for the City to receive \$1.50 per ton of landfilled waste that the City uses to partially fund integrated waste management programs. A fee of \$2.60 per ton is collected for County-wide HHW programs. The HHW Program agreement defines the County, for the specific services it provides to municipalities, as the program manager.

The County's HHW Program held a temporary hazardous waste disposal event in Los Altos on April 15, 2023.

### **Discussion/Analysis**

While the City and County entered into a three-year agreement to provide HHW collection services, the agreement must be amended annually with a new operating schedule and a new augmentation amount for service levels above what is funded through AB 939 Implementation Fees. The City is required under the agreement to pay the difference between the estimated cost to provide service to an average of 4% of the City's residents annually at hazardous waste disposal sites under the program less the amount generated within the City in AB 939 fees. The AB 939 fees will continue to support a four percent level of participation by Los Altos residents in the



**Subject:** Countywide Household Hazardous Waste Collection Program and AB 939  
Implementation Fee

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County HHW Program. Funding augmentation for the HHW Program for FY 2023/24 is needed in the amount of \$77,447 based on anticipated participation from City residents. It is important to note when reviewing the attached amendment that the County uses the term “FY2024” to describe the fiscal year from July 1, 2023, to June 30, 2024.

**Recommendation**

The staff recommends that the City Council authorize the City Manager to execute the Second Amendment to the Agreement for Countywide Household Hazardous Waste Collection Program.