



# STAFF REPORT

## CITY of YORBA LINDA

ADMINISTRATION DEPARTMENT

**DATE:** AUGUST 2, 2022

**TO:** HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

**FROM:** DAVID CHRISTIAN, ASSISTANT CITY MANAGER

**SUBJECT:** AGREEMENT WITH HF&H CONSULTANTS FOR PROFESSIONAL SERVICES RELATED TO SB 1383 COMPLIANCE ACTIVITIES

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### **RECOMMENDATION**

It is recommended that the City Council:

1. Authorize the City Manager to sign the Agreement for Professional Services with HF&H Consultants, LLC related to SB 1383 compliance services; and
2. Appropriate \$70,000.00 and an additional 15% contingency for a total of \$80,500.00 in a designated account which will be reimbursed by Republic Services.

### **BACKGROUND**

On June 7, 2022, the City Council adopted Resolution No. 2022-5803 approving the Third Amendment to the Agreement for Solid Waste Handling Services between the City of Yorba Linda and Republic Waste Services of Southern California, LLC as it relates to Senate Bill 1383 (SB 1383).

An amendment to the Franchise Agreement with Republic was necessary to add additional services and requirements due to the City's state-mandated obligation to implement organic waste collection and related services pursuant to SB 1383. The bill requires all jurisdictions in California to divert organic waste from landfill disposal by implementing organic waste collection services, an edible food recovery program, new public education and outreach programs, recordkeeping and reporting, procurement of recyclable materials, and inspecting and enforcing noncompliant locations. The program for Yorba Linda went into effect July 1, 2022.

The City utilized the services of HF&H Consultants, LLC (HF&H) to assist staff with negotiating the terms for the amendment to the Franchise Agreement with Republic Services that included the continuation of existing programs as well as the implementation of the new required organic waste collection services and related programs. Furthermore, HF&H performed a financial review of Republic Services' revenues, expenses, and cost allocations to determine that the agreed upon terms provided for reasonable rates for residents. To this end, HF&H has an extensive understanding of SB 1383 and how it is to be implemented in Yorba Linda.

# **AGREEMENT WITH HF&H CONSULTANTS FOR PROFESSIONAL SERVICES RELATED TO SB 1383 COMPLIANCE ACTIVITIES**

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## **DISCUSSION**

As part of the State's mandated organics recycling program, the City is responsible for new and enhanced programmatic activities such as food recovery, monitoring, enforcement, reporting, and education. While some of these functions will be handled by Republic, the City is still ultimately responsible for implementation and monitoring for SB 1383 compliance. With HF&H's history and experience in the waste management consulting industry, along with their familiarity with Yorba Linda's waste recycling management program(s) they will be integral in helping to ensure we are in compliance with the state mandate SB 1383. In summary, HF&H will assist with the following tasks as needed:

- Reviewing Republic's performance as it relates to executing these new SB 1383 tasks including, attending meetings with City staff and Republic to discuss Republic's progress implementing SB 1383 programs.
- Review the reported results of commercial/multi-family and the single-family recycling programs based on hauler reports.
- Assist with review of additional outreach materials to ensure compliance with the SB 1383 outreach requirements.
- Provide forms for use by the hauler to ensure the City receives the required reports in a timely manner and in a format that is adequate for compliance.
- Assist the City in reviewing and providing comments on Republic's initial draft of the City's Electronic Annual Report (EAR) for submittal to CalRecycle.
- HF&H is also available to assist by responding to questions from CalRecycle, and preparing for, and participating in the annual conference calls and meetings with CalRecycle

## **FISCAL IMPACT**

The total compensation in the amount not to exceed \$80,500.00, including the 15% contingency can be appropriated to the expense account 1010170-4333950. These costs are eligible for reimbursement by Republic Services.

## **ALTERNATIVES**

Do not authorize the City Manager to sign the Agreement for Professional Services related to SB 1383 compliance and monitoring assistance and instead provide further direction.

## **ATTACHMENTS**

- 1.) Professional Services Agreement with HF&H dated August 2, 2022
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