



DATE: May 22, 2024

TO: Waste Management Authority (WMA) Board

FROM: Pat Cabrera, Administrative Services Director

SUBJECT: Household Hazardous Waste (HHW) Collection and Disposal Fee Ordinance Amendment

SUMMARY

At the May 22, 2024, meeting, the Waste Management Authority (WMA) Board will consider adoption of an ordinance amending the HHW Collection and Disposal Fee, Ordinance 2014-01. The amendment will replace the requirement to maintain two years of operating costs as fund balance with a requirement to retain sufficient funds as determined by the Board.

DISCUSSION

At the April 24, 2024, meeting, the WMA Board held a public hearing and considered the proposed ordinance (2024-01) and introduced and waived the first reading of the ordinance and directed staff to place it on the consent calendar for the May 22, 2024, WMA meeting. Attachment A provides the text of ordinance 2024-01.

The amendment provides for a more flexible standard that allows the Board to keep the fee at a low level while adequately supporting the program in the most fiscally responsible manner. The report submitted to the WMA Board at the April 24 meeting is available at the following link: [HHW-Fee-Ordinance-memo](#).

RECOMMENDATION

Staff recommends that the WMA Board adopt the ordinance set forth in Attachment A. Ordinance 2024-01 will make minor revisions to Ordinance 2014-01 as amended by replacing the two-year fund balance requirement with a requirement to retain sufficient funds as determined by the Board.

Attachment A: Ordinance 2024-01 Amending Ordinance 2014-01

ATTACHMENT A

ORDINANCE 2024-01

ORDINANCE AMENDING THE HOUSEHOLD HAZARDOUS WASTE COLLECTION AND DISPOSAL FEE ORDINANCE

The Board of the Alameda County Waste Management Authority (“Authority”) finds that:

1. In 2014 the Authority adopted Ordinance 2014-01, the Household Hazardous Waste Collection and Disposal Fee Ordinance, and amended that Ordinance in 2019. The Authority wishes to further amend the ordinance to remove the requirement that the fee be set at an amount sufficient to retain a two-year fund balance.
2. The Board of the Alameda County Waste Management Authority held a public meeting on April 24, 2024, and after considering all testimony and written materials provided in connection with that meeting introduced this ordinance and waived the reading thereof.

Therefore, the Board of the Authority hereby ordains as follows:

Section 1. Adoption.

The Household Hazardous Waste Collection and Disposal Fee Ordinance described above is hereby amended as set forth below. Text to be added is indicated in bold underlined font (e.g., **underlined**) and text to be deleted is indicated in strikeout font (e.g., ~~strikeout~~).

A. Section 3(b) of the ordinance is amended as follows:

(b) No later than March 31 of 2024 and every five years thereafter the Executive Director shall prepare a report evaluating Program expenses and revenues during the previous five fiscal years and projecting expenses and revenues for the following five fiscal years. The Fee per Household shall be set for the following five fiscal years beginning July 1 of the year in which report is prepared at a level projected to maintain ~~an annual fund balance sufficient for two years of~~ **sufficient funds for** operating costs.

Section 2. Severability.

If any provision of this Ordinance or its application to any situation is held to be invalid, the invalidity shall not affect other provisions or applications of this Ordinance, which can be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance are declared to be severable.

Section 3. Publication.

Within 15 days after adoption of a summary of the ordinance with the names of those voting for and against, the ordinance shall be published and a certified copy of the full text with the names of those voting for and against the ordinance shall either (i) be posted on the Authority’s website or (ii) be posted in the Authority offices.

Following introduction on April 24, 2024, passed and adopted May 22, 2024, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

I certify that under the penalty of perjury that the foregoing is a full, true and correct copy of ORDINANCE NO. 2024-01.

ARLISS DUNN
CLERK OF THE BOARD