



DATE: April 24, 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

On March 27, 2024, the WMA Board directed staff to prepare an ordinance amending the HHW Collection and Disposal fee, Ordinance 2014-01. The amendment would 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. The attached Ordinance 2024-01 incorporates these revisions and is being presented to the WMA board for introduction. It would be adopted on the consent calendar at the next regular meeting of the Board.

DISCUSSION

At the May 29, 2014, WMA meeting, the Board adopted HHW Ordinance 2014-1: "Ordinance Establishing a Household Hazardous Waste Collection and Disposal Fee." This fee, in combination with the HHW landfill tip fee, supports the four HHW facilities (Fremont, Hayward, Livermore, and Oakland), as well as annual one-day collection events throughout the county. The fee was initially set at \$9.55 per residential unit per year, subject to an annual recalculation.

On September 25, 2019, the Board amended Ordinance 2014-01 to replace the annual fee recalculation with a five-year recalculation and lowered the fee to \$6.64 per residential unit per year through FY 2024. Pursuant to the requirements of the ordinance, the five-year analysis of the program was conducted, and the findings were presented to the WMA board at its March 27, 2024, meeting. The Board approved adjusting the annual fee to \$7.80 per residential unit beginning in FY 2025 through FY 2029, at which point it will be recalculated for the subsequent five years based on the HHW program's funding needs, subject to the \$9.55 cap in the Ordinance. The Board also approved replacing the two-year fund balance threshold currently stipulated in the ordinance with 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 WMA is available at the following link: [HHW-Fee-Analysis-Memo-WMA-03-27-24L](#).

RECOMMENDATION

Staff recommends that, following the public hearing, the WMA Board introduce and waive the first reading of the attached ordinance and direct staff to place it on the consent calendar for adoption at the next regular meeting of the Board. 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. The Ordinance will not amend the fee cap.

Attachments

Attachment A: Draft Amended Ordinance

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 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 is 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

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