



Date: September 9, 2021
To: Board of Directors
From: Rick Benson, Interim General Manager
Subject: Amend Bay View Refuse Agreement – Organic Waste Recycling (SB 1383)

Recommendation:

Authorize Interim General Manager to enter into negotiations with Bay View Refuse and bring the Board a proposed amendment to the existing contract to include organic waste recycling per State Senate Bill 1383.

Rationale for Recommendation:

Bay View Refuse is the franchised waste hauler for Kensington. The company is prepared to implement collection practices which will bring the community in compliance with SB 1383. In order to do so, however, it will be necessary to amend the current franchise agreement to reflect the changes and to allow the hauler to recover the additional expenses.

Alternatively, the District could solicit the services of another hauler. This is not recommended at this time given that the agreement with Bay View Refuse is already in place and that the company has been providing a high level of service to the residents of Kensington. Additionally, the legislation requires substantial compliance by January 1, 2022.

Background:

In September 2016 the California legislature approved and the Governor signed Senate Bill 1383. The purpose of this bill is to reduce the amount of greenhouse gases produced by the California waste stream by diverting most organic materials away from California landfills. All California communities are required to comply with this legislation.

Discussion and Analysis:

In order to extend the life span of landfills a large number of California communities, including Kensington, had already begun the process of addressing organic waste years earlier by diverting most yard waste. Therefore, compliance with the initial phases of the legislation did not require changes from current practices. The next phase of implementation, however, will require that most kitchen organics now be diverted.

Discussions with Bay View Refuse have been initiated. In order to comply with the legislation a few changes will need to be implemented. Given the nature of kitchen waste, the frequency of organic material collection will need to be increased. A bin system, similar to that used in most other California communities, will also need to be implemented.

Fiscal Impact:

It is expected that there will be an increase in the rates of trash collection for the residents of Kensington in order to comply with this state-mandated greenhouse gas legislation.