



**DATE:** January 11, 2021

**TO:** Council Sustainability Committee

**FROM:** Director of Public Works

**SUBJECT:** Update on City's Waste Reduction and Recycling Programs: Review and Comment

### **RECOMMENDATION**

That the Council Sustainability Committee (CSC) reviews and comments on this report.

### **SUMMARY**

This report provides an update on the solid waste, recycling, and organic materials services Waste Management of Alameda County (WMAC) provides Hayward residents and businesses under the City's contract that commenced March 1, 2015. The report includes an overview of outreach activities to inform residents, businesses, and multi-family property managers about the variety of services available under the City's contract with WMAC. It also provides an overview of the tons recycled and composted by Hayward since the current contract with WMAC commenced.

### **BACKGROUND**

In 1990, the Alameda County Recycling Board established the goal of at least 75% diversion of all discarded materials in Alameda County by 2010. However, Stopwaste recently proposed replacing the 75% by 2010 goal with the goal of promoting upstream waste reduction activities to eventually make landfills obsolete. In 2007, Council adopted a goal of diverting at least 75% of waste from the landfill by 2010. In conjunction with the City's contract with WMAC, staff manages a variety of programs intended to help the City achieve its diversion goals. In 2017, the diversion rate was 70%. However, in 2018, the diversion rate for Hayward was affected by a downturn in the recycling markets and dropped to 66%. In 2019, Hayward continued to be affected by the poor recycling markets in 2019 and the diversion remains at 66%.

The City's Agreement with WMAC includes organics and recycling collection service to multi-family properties. Single-family and most multi-family recycling service is provided by WMAC's subcontractor, Tri-CED. The Agreement offers organics service to businesses at 50% of the comparable garbage rate and recycling service to businesses at 50% the cost of comparable garbage service. The agreement with WMAC ends in 2022 and includes the option

to extend for three one-year periods. Hayward staff is in the process of negotiating a new franchise agreement with WMAC.

***Mandatory Recycling Ordinance*** –In January 2012, the Alameda County Waste Management Authority (ACWMA) Board approved a mandatory recycling ordinance, which includes a goal to ensure that recyclables and compostables make up less than 10% of material sent to landfill by 2020. Currently recyclables and organics comprise about 30% of material sent to landfill. In 2012, Hayward agreed to adopt the mandatory recycling ordinance, which requires all businesses and multi-family properties to arrange for collection of recyclables. It also requires all multi-family properties, and all businesses that generate a significant amount of food scraps and food-soiled paper, such as such as restaurants, food processors, and grocers, to implement separate organics collection. Multi-family properties are defined in the ordinance as properties having five units or more.

**DISCUSSION**

City, WMAC, and Tri-CED staff work with multi-family properties and businesses to help them meet all provisions of the mandatory recycling ordinance. Currently 99% of Hayward multi-family properties with five or more units subscribe to recycling services and 95% of multi-family properties subscribe to organics collection services. The percentage of businesses in Hayward subscribing to recycling services in 2020 was 80%, a 2% increase from 2019. The percentage of businesses signed up for organics increased by another 2% from 2019 to 2020. Staff is working with WMAC to conduct outreach to accounts not subscribed to services about County and state recycling and organics requirements.

The tables below summarize, from December 2019 to December 2020, the percent change in the number of Hayward businesses and multi-family properties that have arranged for collection of recyclables, and percent change in the number of Hayward multi-family properties that have arranged for organics collection through WMAC. The information is based on data provided by WMAC and Tri-CED. Businesses and multi-family properties may also comply with the ordinance by arranging with other service providers or self-hauling their recyclables and organics.

**Mandatory Recycling Ordinance: Summary of Participation**

<b>Table 1. Businesses</b>			
	<b>December 2018</b>	<b>December 2019</b>	<b>December 2020</b>
<b>Percent subscribing to recycling service</b>	<b>83%</b>	<b>78%</b>	<b>80%</b>
<b>Percent subscribing to organics service</b>	<b>27%</b>	<b>29%</b>	<b>31%</b>

<b>Table 2. Multi-Family Properties</b>			
	<b>December 2018</b>	<b>December 2019</b>	<b>December 2020</b>
<b>Percent subscribing to recycling service</b>	<b>95%</b>	<b>99%</b>	<b>99%</b>
<b>Percent subscribing to organics service</b>	<b>93%</b>	<b>94%</b>	<b>95%</b>

This information shows the percentage of multi-family dwellings and businesses that subscribe to services. The data does not indicate whether a property or business subscribes to an adequate level of service or sorts material properly.

The figures below show the tonnage of recyclable and organic material collected from residential properties from 2014 through 2020.

Figure 1. Single-Family Recycling Tons 2015 - 2020

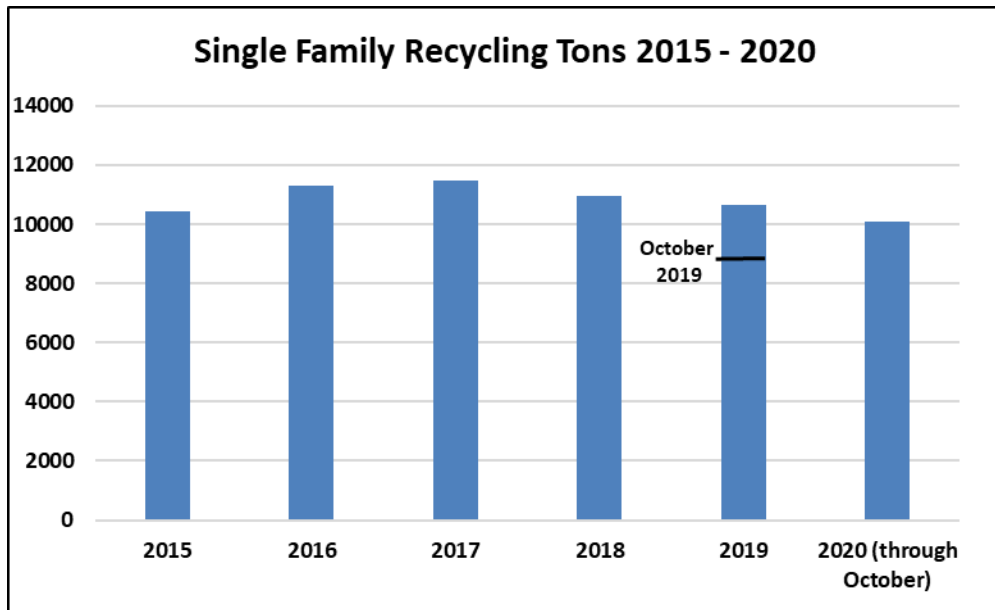


Figure 2. Multi-Family Recycling Tons 2015 - 2020

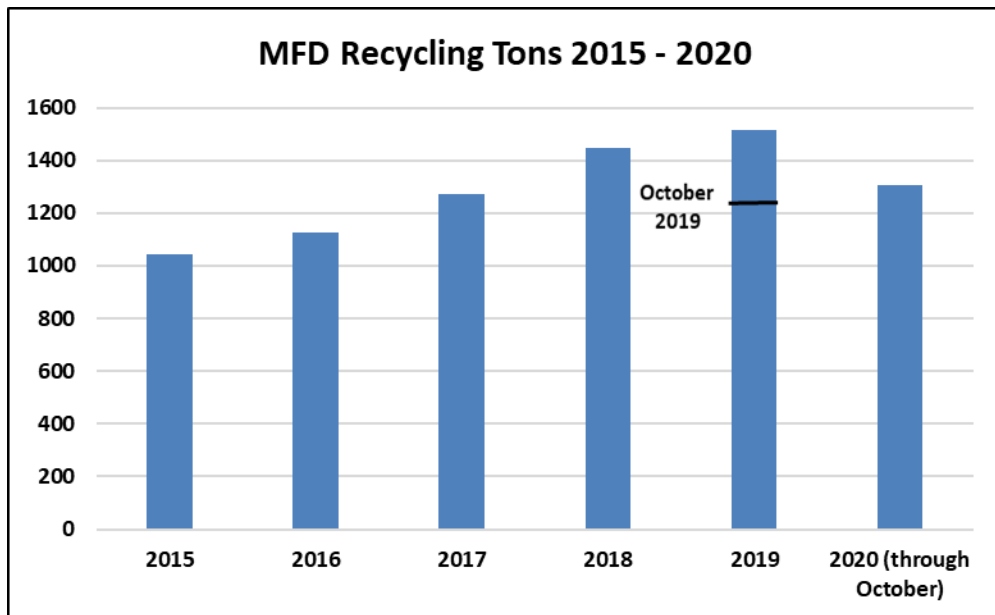


Figure 3. Single-Family Organics Tons 2015 – 2020

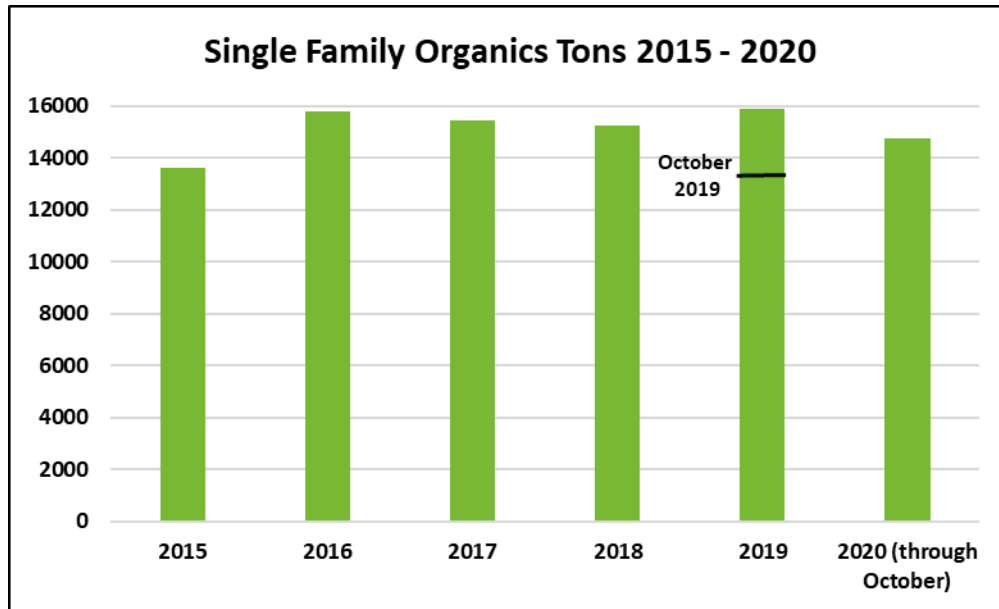
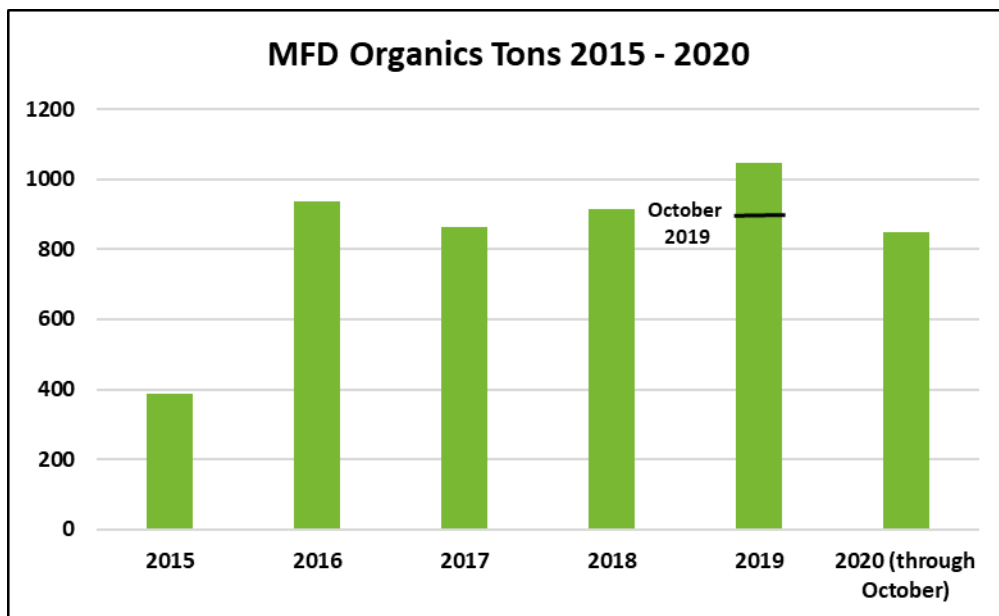


Figure 4. Multi-Family Organics Tons 2015 – 2020

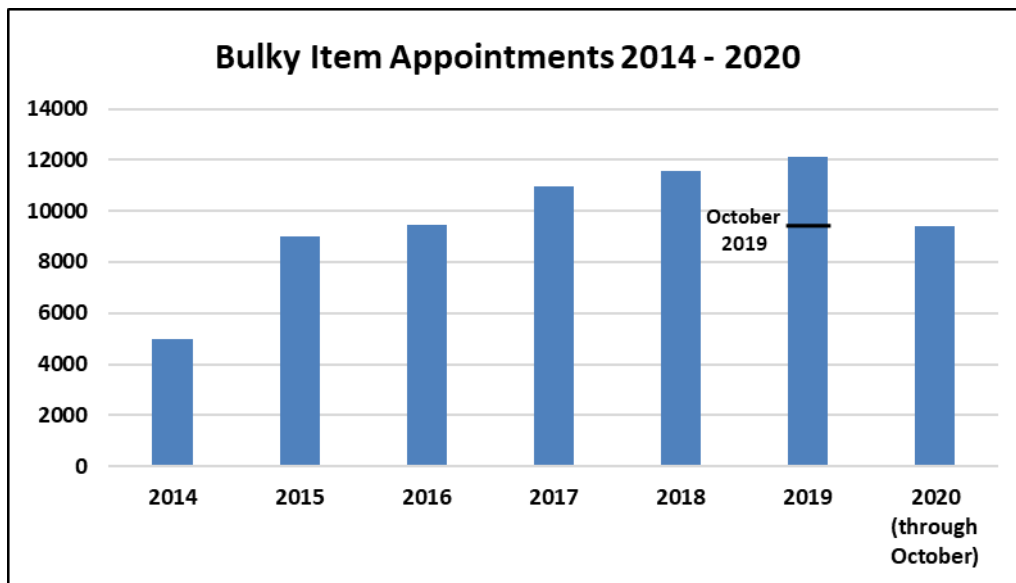


In late 2017, China, the market to which most recycling processors in the western United States sent mixed paper, initiated a stringent policy against accepting bales of recyclables that contain more than half a percent of non-recyclable material (contamination). In response to the stricter contamination standards, WMAC and City staff increased outreach

to all Hayward customers regarding the importance of reducing contamination and keeping recyclables clean.

***Bulky Item Collection*** – The WMAC Agreement offers Hayward single-family households and multi-family properties free collections of 4 cubic yards per dwelling unit per year of bulky items such as furniture, mattresses, and appliances. While the participation by Hayward residents in the program has increased each year of the contract, residents only utilize about one-quarter of the appointments allowed by the contract. Staff will continue to prioritize promotion of the bulky item collection service in 2021, including advertisements on the side of WMAC trucks, Facebook advertisements, and advertisements on television screens at the Hayward DMV. A video will also remain posted on the City’s [website](#)<sup>1</sup> that shows residents how to properly set out their material for bulky collection. In 2019, 12,131 collections occurred. WMAC has performed 9,425 collections through October of 2020 and is on pace to perform more than 12,000 collections for the year. The total number of bulky collections performed in 2020 are on pace to match the total bulky collections performed in 2019 despite the fact that for two months, from March 30, 2020 through May 31, 2020, no collections were performed due to concerns about the COVID-19 virus being transmitted to workers by touching bulky material.

Figure 5. Bulky Item Appointments 2014 – 2020



***Illegal Dumping Collection*** – A service that began with the 2015 Franchise Agreement is WMAC’s collection of up to six occurrences of illegal dumping per week in Hayward. To maximize WMAC’s collection of illegal dumping, staff searches the Access Hayward tool for illegal dumping collection requests, and then sends up to six requests to WMAC per week. Since the inception of the new method, the number of illegal dumping collections performed by WMAC per month has increased from approximately 5 per month to more than 20 per

<sup>1</sup> <https://www.hayward-ca.gov/services/city-services/bulky-item-pickup>

month. WMAC and staff are discussing increasing the number of occurrences of illegal dumping WMAC collects weekly to be incorporated in the new contract.

*Franchise Recovery Rate* – CalRecycle’s diversion rate takes into consideration all waste generated within Hayward’s boundaries, some of which is not hauled by WMAC. The Franchise Recovery Rate is an annual benchmark included in the WMAC Agreement to track WMAC’s performance diverting material from landfill. It measures only the material collected and managed by Waste Management and the required Franchise Recovery Rate gradually increases each year of the contract to reach 80% by 2024, the final year of the Agreement. In 2017, the Franchise Recovery Rate was 39%, well below the 54% target for 2017. In 2020, the Franchise Recovery Rate has dropped to about 36%, partially in response to COVID-19, as for two months, recyclable material was not sorted due to concerns the material could potentially have the virus on it. The Franchise Agreement allows the City to penalize WMAC for not achieving its Franchise Recovery Rate.

The China National Sword policy also continued to pose challenges to meeting the Franchise Recovery Rate. Although markets have been found for certain recyclables, WMAC and Tri-CED continue to face challenges selling recyclable material. Reducing contamination in recycling streams remains a priority in 2021. In response to the recycling challenges, the state formed a commission on recycling. In early 2021 the commission will complete the development of a list of recyclable materials that can be marketed. This list can help ensure materials collected will not ultimately be landfilled due to not having markets.

As was reported to the Committee at its last meeting on November 9, 2020<sup>2</sup> at the direction of Council, staff has started negotiating a new franchise agreement with WMAC. Staff will explore opportunities to improve aspects of the agreement in order to increase diversion and also enhance services. Staff is planning to provide an update on negotiations to the Council Sustainability Committee in the spring of 2021.

## **FISCAL AND ECONOMIC IMPACTS**

Staff will continue to work with the ACWMA and WMAC to coordinate implementation and enforcement of the mandatory recycling ordinance. Recycling Fund monies are used to fund these activities, so there will be no impact to the General Fund. These funds are based on tons of garbage disposed at the landfill and are collected and disbursed by ACWMA. Currently, there is sufficient Recycling Fund balance to pay costs associated with implementing the ordinance. However, funds will decrease as tons landfilled decreased. To replenish the City’s Recycling Fund, starting in FY2018-2019, additional funds are remitted to the City by WMAC per the terms of the contract.

In January 2021 staff will complete the Agreement’s required annual rate-setting process and will present to Council proposed rates adjusted based on a consumer price index procedure.

## **STRATEGIC ROADMAP**

---

<sup>2</sup> [file:///C:/Users/alexa/Downloads/Attachment%20I%20Staff%20Report%20\(27\).pdf](file:///C:/Users/alexa/Downloads/Attachment%20I%20Staff%20Report%20(27).pdf)

This agenda item is a routine operational item that does not directly relate to one of Council's six Strategic Priorities.

## **SUSTAINABILITY FEATURES**

Solid waste management involves the safe and responsible management of discarded material from generation through processing to disposal. Reducing waste landfilled by maximizing the reuse, recycling, and composting of materials increases diversion, conserves natural resources, and plays an important role in making a community sustainable.

## **PUBLIC CONTACT**

*Outreach to Multi-Family Properties* – In 2020, ACWMA, also known as StopWaste, continued to perform outreach to multi-family properties through social media and email. Stopwaste has also continued to focus on prompting residents to reduce food waste and compost food scraps, and City and WMAC staff work with property managers and owners to improve organics sorting and facilitate bulky item removal. In response to COVID-19, trainings on how to sort have been offered virtually through video calls. The City and WMAC collaborate to design and send bill inserts and mailings throughout the year to help inform residents of program parameters. When in-person events resume, staff will continue to distribute brochures at the Hayward Downtown Street Parties and to the Keep Hayward Clean & Green Task Force. Overall, despite the pandemic, the WMAC outreach team managed to contact more than 300 Hayward customers in 2020 and was able to ensure 95% of multi-family properties have signed up for both organics and recycling services. They also distributed more than 400 kitchen pails.

*Outreach to Businesses* – WMAC representatives offer Hayward businesses waste assessments and employee training to help facilitate implementation of programs. City assistance includes offering labels for containers and posters for reference by employees and patrons. City staff will continue to disseminate informational materials to businesses via virtual trainings, and inserts with bills issued by WMAC, and to inform businesses that recyclables collection and organics collection are available at half the price of regular garbage collection. In addition, Stopwaste's consultant, Cascadia, continues to offer sorting assistance virtually to businesses that received a warning letter or notice of violation from County mandatory recycling ordinance enforcement officers. The County has suspended issuing warning letters and citations during the pandemic.

*Outreach to Single-Family Residents* – The mandatory recycling ordinance does not apply to single-family households. However, staff conducts outreach to single-family households to help residents properly sort recyclables and increase their organics diversion by placing food scraps and food-soiled paper in the green bin. Additionally, the City's website and WMAC's website each offer residents and businesses extensive information regarding recycling and available services. Staff also normally performs outreach at the Hayward Downtown Street Parties as well as the City's compost giveaways, however these events were canceled in 2020 due to the pandemic.

Compost Giveaways – A provision of the WMAC Agreement requires WMAC to provide Hayward residents with 5,000 one cubic-foot bags of compost annually. The City usually distributes these bags of compost to residents by means of compost giveaway events held twice a year on Saturdays. During these events, residents drive to a designated venue and City staff loads bags of compost into residents' vehicles. Since the inception of the contract in March 2015, the City has given more than 20,000 bags of compost to residents. However, no compost giveaways were held in 2020 due to the COVID-19 pandemic. Staff is investigating safe means of hosting a compost giveaway in the spring of 2021.

## **NEXT STEPS**

City staff will continue to offer assistance to businesses and multi-family properties to implement separate collection of recyclables and organics. Staff will also continue outreach to single-family customers with a focus on utilizing organics service for food scraps and food-soiled paper. Outreach efforts will continue through a variety of channels, including the Rental Housing Owners Association, special events, and the Chamber of Commerce.

Prepared by: Jeff Krump, Solid Waste Program Manager

Recommended by: Alex Ameri, Director of Public Works

Approved by:



---

Kelly McAdoo, City Manager