

ENERGY, CLIMATE CHANGE AND ENVIRONMENTAL JUSTICE COMMITTEE REPORT  
relative to the City's administration of the RecycLA service provider contracts and related matters.

Recommendations for Council action:

1. DIRECT the Bureau of Sanitation (BOS), in consultation with the RecycLA service providers, the City Attorney, and other City departments, as appropriate, to address the following areas of concern:

**A. Service Reliability and Quality**

- a. Develop a weekly RecycLA contractor service delivery performance report with indicators of missed or deferred collections and the status of customer service complaints, make this report available on the BOS's website, and provide said report to each Council District.
- b. Request the service provider to submit ongoing reports of their outreach and education staffing levels and what they are doing to increase the effectiveness of recycling efforts and to ensure 100 percent completion of waste assessments.
- c. Immediately notify an affected Council office whenever the BOS services a specific customer account as a result of missed or deferred collections by the service provider, including steps taken to ensure cost recovery by the City

**B. Pricing**

- a. Report on the current RecycLA rate structure, the valuation process used to ensure rates are reasonable and appropriate, and on any recommendations or options to allow for their periodic review and adjustment.
- b. Clarify the rules for the applicability of all EXTRA SERVICES in a series of findings, subject to approval by the Board of Public Works.
- c. Complete an audit of the final billings of each hauler after full program implementation and assess whether the rates need to be adjusted to take into account customers that were not assumed in the original pro-formas that were the basis of the current rate structure.
- d. Report with recommendations to develop alternative rate structures, exemptions, or otherwise mitigate any financial or operational effects of the RecycLA Program rates and requirements on existing Rental Stabilization Ordinance (RSO) units and buildings or affordable housing developments, including non-profit organizations.
- e. Determine the feasibility of a bin sharing option for customers to reduce costs

and develop, as necessary, administrative procedures and guidelines to ensure program viability.

- f. Request the service providers to allow additional no-cost graffiti removal for customers, particularly in instances where bins have been relocated to avoid distance or access charges, but are now placed in more vulnerable locations.

#### **C. Customer Challenges and Dispute**

- a. Take appropriate steps to enforce compliance of RecycLA service provider contracts by ensuring immediate implementation of Section 4.1 Contractor Call Center, which states that notifications shall be made to the CUSTOMER using their preferred method of communication.
- b. Report on the current dispute process, the role and level of involvement of the BOS, and options to make the customer dispute process more transparent; such as, establishing a RecycLA ombudsperson to provide individual customer level support and advocacy.
- c. Establish a RecycLA Multi-Family Working Group to address logistical issues and challenges for multi-family residential properties experiencing difficulties in incorporating RecycLA bins and equipment into their buildings.
- d. Provide guidance to all customers on the placement of bins in the right-of-way to ensure Americans with Disabilities Act access and avoid negative aesthetic impacts in neighborhoods.

#### **D. Ongoing Transition and Next Steps**

- a. Instruct the BOS to provide monthly updates to the Energy, Climate Change, and Environmental Justice committee, including:
  - i. An accounting of the number of newly-created accounts, the size of those accounts, and any additional service or facilities costs that may be incurred by the City or its haulers to meet the additional demand.
  - ii. An analysis of services currently being charged by waste haulers by customer class.
  - iii. An analysis of customers' monthly waste hauling bills broken down by customer type and assessing the proportion of the bills that are comprised of additional service fees.
  - iv. Progress towards addressing concerns unique to the Equestrian community.
  - v. Any actions taken or anticipated to ensure contract compliance, including notices to the service providers, the imposition of liquidated damages, and any other efforts.

- b. Develop and implement a tenant-focused on-site education and outreach program to ensure maximum recycling and service cost reduction, and:
    - i. Report on instituting a program with multi-benefits, such as the Cool Blocks Program the City piloted last year. (In addition to waste reduction and education, the Cool Blocks Program included components of energy efficiency, water conservation, emergency preparedness and community building.
    - ii. Work with other relevant departments to help with funding, including the Los Angeles Department of Water and Power, the Emergency Management Department, and the Department of Neighborhood Empowerment.
    - iii. Include information about the \$150,000 available matching funds for Cool Blocks in the report.
  - c. Establish an environmental benefits dashboard with quarterly updates on progress being made towards the environmental objectives of the program.
    - i. Work with the Southern California Air Quality Management District to report on the air quality benefits from replacing diesel trucks with low emission trucks and include scout trucks in the assessment.
    - ii. Work with the Los Angeles Department of Transportation to report on the traffic impacts of the new system, including numbers of trucks on streets and alleyways and include scout trucks and bins left in the street for hours as part of this assessment.
    - iii. Report on the percentage increase of recycling and thereby diversion from the landfills from the new program and brake it down by waste hauler.
  - d. Review all upcoming program milestones and elements and report with an action plan to ensure a smoother implementation of upcoming program elements.
  - e. Work with the Bureau of Street Services to ensure coordination of RecycLA curbside bin removals with street cleaning schedules.
  - f. Work with the Department of City Planning to ensure that RecycLA service providers' pickup schedules for businesses are compliant with Conditional Use Permits requirements for trash pickup dates and times, where applicable.
2. DIRECT the BOS, and REQUEST the City Attorney, to report on potential legal options the City may review with regard to the RecycLA Program.
  3. INSTRUCT the BOS, in conjunction with the RSPs, to report on the amount and location of planned RecycLA facilities in the City, i.e., Material Recovery Facilities and Transfer

Stations.

Fiscal Impact Statement: None submitted by the BOS. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

**[The City Council may recess to Closed Session pursuant to Government Code Section 54956.9(d)(2) to confer with its legal counsel where there is a significant exposure to litigation based on existing facts and circumstances regarding the RecycLA Program, and pursuant to Government Code Section 54956.9(d)(4) to decide whether to initiate litigation regarding the RecycLA Program - up to one case].**

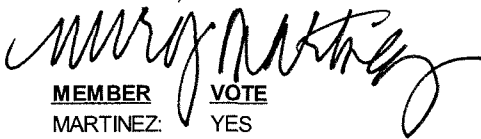
Summary:

At a meeting held on February 6, 2018, the Energy, Climate Change and Environmental Justice Committee considered a report from the BOS relative to the City's administration of the RecycLA service provider contracts and related matters. During the discussion of this item, the Committee spent approximately two-and-a-half hours considering numerous public comments (for and against the Program). The Committee then adjourned to go to Closed Session to confer with its legal counsel; and came back in Open Session to further provide an opportunity for the seven service providers to respond to the various concerns expressed by the public and by the Committee members. In addition, the BOS staff provided an overview of the Bureau's actions related to this matter and responded to additional questions from the Committee members.

After an extensive discussion, which lasted approximately six hours, the Committee recommended that Council approve the recommendations detailed above. This matter is now submitted to Council for its consideration.

Respectfully Submitted,

ENERGY, CLIMATE CHANGE AND ENVIRONMENTAL JUSTICE COMMITTEE



<u>MEMBER</u>	<u>VOTE</u>
MARTINEZ:	YES
KORETZ:	YES
KREKORIAN:	YES
CEDILLO:	YES
O'FARRELL:	YES

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**-NOT OFFICIAL UNTIL COUNCIL ACTS-**