



AGENDA

Garden Grove Sanitary District
Board of Directors

Tuesday, September 26, 2023

6:30 PM

Community Meeting Center 11300
Stanford Avenue Garden Grove
California 92840

John R. O'Neill
President

Cindy Tran
Vice President

George S. Brietigam
Member

Joe Dovinh
Member

**Stephanie
Klopfenstein**
Member

**Kim B. Nguyen-
Penaloza**
Member

Steve Jones
Member

Meeting Assistance: Any person requiring auxiliary aids and services, due to a disability, to address the City Council, should contact the City Clerk's Office 72 hours prior to the meeting to arrange for accommodations. Phone: (714) 741-5040.

Agenda Item Descriptions: Are intended to give a brief, general description of the item. The City Council may take legislative action deemed appropriate with respect to the item and is not limited to the recommended action indicated in staff reports or the agenda.

Documents/Writings: Any revised or additional documents/writings related to an item on the agenda distributed to all or a majority of the Council Members within 72 hours of a meeting, are made available for public inspection at the same time (1) in the City Clerk's Office at 11222 Acacia Parkway, Garden Grove, CA 92840, during normal business hours; (2) on the City's website as an attachment to the City Council meeting agenda; and (3) at the Council Chamber at the time of the meeting.

Public Comments: Members of the public who attend the meeting in-person and would like to address the City Council are requested to complete a pink speaker card indicating their name and address, and identifying the subject matter they wish to address. This card should be given to the City Clerk before the meeting begins. General comments are made during "Oral Communications" and should be limited to matters under consideration and/or what the City Council has jurisdiction over. Persons wishing to address the City Council regarding a Public Hearing matter will be called to the podium at the time the matter is being considered.

Manner of Addressing the City Council: After being called by the Mayor, you may approach the podium, it is requested that you state your name for the record, and proceed to address the City Council. All remarks and questions should be addressed to the City Council as a whole and not to individual Council Members or staff members. Any person making impertinent, slanderous, or profane remarks or who becomes boisterous while addressing the City Council shall be called to order by the Mayor. If such conduct continues, the Mayor may order the person barred from addressing the City Council any further during that meeting.

Time Limitation: When any group of persons wishes to address the City Council on the same subject matter, the Mayor may request a spokesperson be chosen to represent the group, so as to avoid unnecessary repetition. At the City Council's discretion, a limit on the total amount of time for public comments during Oral Communications and/or a further limit on the time allotted to each speaker during Oral Communications may be set.

PLEASE SILENCE YOUR CELL PHONES DURING THE MEETING.

AGENDA

Open Session

6:30 PM

ROLL CALL: MEMBER BRIETIGAM, MEMBER DOVINH, MEMBER KLOPFENSTEIN, MEMBER NGUYEN-PENALOZA, MEMBER JONES, VICE PRESIDENT TRAN, PRESIDENT O'NEILL

1. ORAL COMMUNICATIONS (to be held simultaneously with other legislative bodies)

2. CONSENT ITEMS

(Consent Items will be acted on simultaneously with one motion unless separate discussion and/or action is requested by a Sanitary District Member.)

- 2.a. Receive and file minutes from the meetings held on June 27, 2023, August 22, 2023, and September 12, 2023. *(Action Item)*

3. MATTERS FROM THE PRESIDENT, BOARD MEMBERS AND GENERAL MANAGER

- 3.a. Update on the Refuse Contract Implementation for the period from July 2022, through June 2023, as requested by the Sanitary District Board.

4. ADJOURNMENT

The next Regular Sanitary District Meeting is scheduled for Tuesday, October 24, 2023, at 5:30 p.m. in the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, California 92840.

City of Garden Grove

INTER-DEPARTMENT MEMORANDUM

To: Lisa L. Kim From: Teresa Pomeroy

Dept.: General Manager Dept.: Secretary

Subject: Receive and file minutes from the meetings held on June 27, 2023, August 22, 2023, and September 12, 2023. (*Action Item*) Date: 9/26/2023

Attached are the minutes from the meetings held on June 27, 2023, August 22, 2023, and September 12, 2023 recommended to be received and filed as submitted or amended.

ATTACHMENTS:

Description	Upload Date	Type	File Name
Minutes - June 27, 2023	9/19/2023	Minutes	sd-min_06_27_2023.pdf
Minutes - August 22, 2023	9/20/2023	Minutes	sd-min_08_22_2023.pdf
Minutes - September 12, 2023	9/14/2023	Minutes	sd-min_09_12_2023.pdf

MINUTES

GARDEN GROVE SANITARY DISTRICT BOARD OF DIRECTORS

Regular Meeting

Tuesday, June 27, 2023

Community Meeting Center
11300 Stanford Avenue, Garden Grove, CA 92840

CONVENE MEETING

At 7:05 p.m., President O'Neill convened the meeting in the Council Chamber.

ROLL CALL PRESENT: (7) Members Brietigam, DoVinh, Jones,
Klopfenstein, Nguyen, Vice President Tran,
President O'Neill

ABSENT: (0) None

ORAL COMMUNICATIONS

Speakers: Leland Sisk, Kyle Mason, Ana Parker, Kelly Bruno Nelson – Cal Optima Health, Van Gordan - VNARP of Southern California, Maureen Blackmun, Nicole Jaimes

RECESS

At 7:27 p.m., President O'Neill recessed the meeting.

RECONVENE

At 7:28 p.m., President O'Neill reconvened the meeting in the Council Chamber with all Members present.

RECEIVE AND FILE MINUTES FROM THE MEETING HELD ON MAY 23, 2023 (F: Vault)

It was moved by Member Brietigam, seconded by Member DoVinh that:

The minutes from the meeting held on May 23, 2023, be received and filed.

The motion carried by a 7-0 vote as follows:

Ayes: (7) Brietigam, Jones, DoVinh, Klopfenstein, Nguyen,
Tran, O'Neill
Noes: (0) None

ADJOURNMENT

At 7:29 p.m., President O'Neill adjourned the meeting. The next Regular Sanitary District Meeting is scheduled for Tuesday, July 25, 2023, at 5:30 p.m. in the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, California.

Lizabeth Vasquez
Deputy Secretary

The motion carried by a 6-0-1 vote as follows:

Ayes: (6) Brietigam, Jones, DoVinh, Klopfenstein, Nguyen,
Tran
Noes: (0) None
Absent: (1) O'Neill

AUTHORIZE ISSUANCE OF AN EMERGENCY PURCHASE ORDER WITH FLO-SERVICES
FOR A PUMP REPAIR AT THE TIFFANY SEWAGE LIFT STATION (S-92.3)

It was moved by Member DoVinh, seconded by Member Brietigam that:

The Finance Director be authorized to issue an emergency purchase order with Flo-Services for a pump repair at Tiffany Sewage Lift Station, in the amount of and not to exceed \$61,895.23.

The motion carried by a 6-0-1 vote as follows:

Ayes: (6) Brietigam, Jones, DoVinh, Klopfenstein, Nguyen,
Tran
Noes: (0) None
Absent: (1) O'Neill

RECEIVE AND FILE MINUTES FROM THE MEETING HELD ON JULY 25, 2023
(F: Vault)

It was moved by Member DoVinh, seconded by Member Brietigam that:

The minutes from the meeting held on July 25, 2023, be received and filed.

The motion carried by a 6-0-1 vote as follows:

Ayes: (6) Brietigam, Jones, DoVinh, Klopfenstein, Nguyen,
Tran
Noes: (0) None
Absent: (1) O'Neill

AWARD A CONTRACT TO JIG CONSULTANTS FOR PROFESSIONAL ENGINEERING
DESIGN SERVICES FOR THE ACACIA AND TAFT SEWER MAIN REPLACEMENT
PROJECT (CP NO. 1387000) AND SEWER SYSTEM REHABILITATION PLAN PHASE II
(SSRPP-II), SEWER MAIN REPLACEMENT PROJECT NO. 1, 31, 47 AND 48 (CP NO.
1363000) (F: S-55-JIG CONSULTANTS)

Following staff introduction and board discussion, it was moved by Member Brietigam, seconded by Member Klopfenstein that:

A contract in the amount of \$495,990 be awarded to JIG Associates for professional

engineering services including civil engineering design and topographic survey for the Acacia and Taft Sewer Replacement Project, the Sewer System Rehabilitation Plan Phase II, and the Sewer Main Replacement Project No. 1, 31, 47 & 48; and

The General Manager be authorized to execute the agreement on behalf of the Sanitary District, and make minor modifications as appropriate thereto.

The motion carried by a 6-0-1 vote as follows:

Ayes:	(6)	Brietigam, Jones, DoVinh, Klopfenstein, Nguyen, Tran
Noes:	(0)	None
Absent:	(1)	O'Neill

ADJOURNMENT

At 7:23 p.m., President O'Neill adjourned the meeting. The next Regular Sanitary District Meeting is scheduled for Tuesday, September 26, 2023, at 5:30 p.m. in the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, California.

Lizabeth Vasquez
Deputy Secretary

MINUTES

GARDEN GROVE SANITARY DISTRICT BOARD OF DIRECTORS

Special Meeting

Tuesday, September 12, 2023

Community Meeting Center
11300 Stanford Avenue, Garden Grove, CA 92840

CONVENE CLOSED SESSION

At 8:00 p.m., President O'Neill convened Closed Session in the Founders Room.

<u>ROLL CALL</u>	PRESENT:	(7)	Members Brietigam, DoVinh, Jones, Klopfenstein, Nguyen, Vice President Tran, President O'Neill
	ABSENT:	(0)	None

ORAL COMMUNICATIONS

Speakers: None.

Conference with Legal Counsel – Existing Litigation

Pursuant to Government Code Section 54956.9(d)(1): Cannon, et al. v. Midway City Sanitary District, et al., USDC Case I CV-01072.

ADJOURN CLOSED SESSION

At 8:20 p.m., President O'Neill adjourned Closed Session.

RECONVENE MEETING

At 8:21 p.m., President O'Neill reconvened the Meeting with all Members present and reported that no reportable action was taken.

ADJOURNMENT

At 8:22 p.m., President O'Neill adjourned the meeting. The next Regular Sanitary District Meeting is scheduled on Tuesday, September 26, 2023, at 5:30 p.m. in the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, California.

Teresa Pomeroy, CMC
Secretary

City of Garden Grove

INTER-DEPARTMENT MEMORANDUM

To:	Lisa L. Kim	From:	William E. Murray
Dept.:	General Manager	Dept.:	Public Works
Subject:	Update on the Refuse Contract Implementation for the period from July 2022, through June 2023, as requested by the Sanitary District Board.	Date:	9/26/2023

OBJECTIVE

To provide the Garden Grove Sanitary District Board of Directors (District) with a one (1) year update of the amended and restated franchise agreement (Agreement) with Republic Services (Republic) and implementation of Senate Bill 1383 (SB 1383, Lara, 2016) for trash, recycling, and organic materials.

BACKGROUND

In September 2016, then Governor Jerry Brown signed Senate Bill (SB) 1383 into law to achieve a reduction in the statewide disposal of organic waste. Organic waste is primarily comprised of food scraps, green waste, landscape and pruning waste, wood and lumber, and paper products. Keeping organic waste out of landfills reduces the amount of greenhouse gas, such as methane, that is produced when organic waste breaks down. SB 1383 builds upon existing legislation related to solid waste and recycling, including Assembly Bill (AB) 939, AB 341, and AB 1826.

In order to comply with state mandates, the Sanitary District Board and City Council approved the Agreement with Republic in June 2022 that also included new programs and enhanced services for the District. The Agreement went into effect on July 1, 2022. During development of the Agreement, the Board of Directors expressed a desire for an update on the implementation of the Agreement after time had passed.

DISCUSSION

The discussion will be split into two sub-parts focusing on general contract performance and SB 1383 implementation.

General Contract Performance Update

During the first year of the Agreement, District and Republic staff successfully

implemented new programs such as daily abandoned item collection and alley sweeps, neighborhood cleanups, expansive public education/outreach, residential food waste collection, and began automatic enrollment of SB 1383 services for customers. These programs were successfully implemented while both District and Republic teams experienced staff turnover in multiple positions. One of the key staff updates included Republic appointing a new General Manager in October 2022. Shortly after, one residential and one commercial route supervisor positions were assigned to provide additional operational support in the District. Republic also onboarded a new Manager of Municipal Sales to act as the Agreement liaison between Republic and District staff in February 2022. The new Republic management staff assigned to the District have assisted in resolving some of the challenges experienced over the course of implementing new programs for the Agreement.

In early October 2022, District staff began documenting issues and inquiries reported by District constituents related to Republic's collection operations. In the first few months of tracking constituent calls, most of the observed issues related to either missed collections or service carts not being delivered per the timeline allowed in the Agreement. Republic brought in an outside contractor to assist with container deliveries, which were reportedly delayed due to supply chain and inventory issues. Both issues continue to be monitored per the terms of the Agreement. In January 2023, Republic changed the way they track customer complaints. Using information provided by Republic, quarterly records show there were 2,391 reported missed collections across all District customer types. In comparison to the total of approximately 2.6 million service opportunities in the six-month period, 0.092% of all service opportunities were reported as missed collections. The contract allows for a 24-hour window for Republic to collect a reported missed container so the actual total for contractually defined missed collection is smaller than the prior noted percentage. The figures in Attachment A provide additional analysis of Republic's inquiry and complaint log records from January through June 2023.

The issue of missed collections has most notably impacted commercial and multi-family bin service customers. During peak service delays, Republic consistently reported that over 100 bins per day were not being serviced on the designated service day. While most bins were collected the next service day, some customers did not receive service after the contractually allowed 24-hour correction period. Republic staff identified that the root cause of the issue was that the commercial and multi-family routes were too large. These issues were amplified in March and April 2023 when the County landfill system began operating at lower capacity due to safety concerns regarding wet weather conditions, which impacted wait times at the landfill gates. Other reasons Republic reported that bins were not collected include truck breakdowns, or the use of a "fill-in" drivers who are not as familiar with a route. In June 2023, the commercial route supervisor began the process of reviewing and changing the routes to ensure that all bins scheduled to be serviced are picked up on their scheduled day, and new containers for SB 1383 compliance are integrated into the routes without service delays.

While the route evaluations and re-routing will take time to complete, changes have already been implemented. The commercial route for traditional recycling has been expanded from three (3) to five (5) collection days a week. Republic has also expanded the commercial organics route, specific to Garden Grove, that is now

operating five (5) days per week.

Due to the frequent issues the District is experiencing with commercial trash collection, in July 2023, the District issued a notice of intent to assess Liquidated Damages letter to Republic. Per the Agreement, the District may assess Liquidated Damages for breaches of the Agreement, in the form of financial penalties, once official notice has been provided. The District will continue monitoring efforts and will provide ongoing updates. No liquidated damages have been assessed.

SB 1383 Implementation

Impacts for Residential Customers

Prior to the implementation of SB 1383, Garden Grove residents at single-family properties were using a 3-cart system, separating their recyclables and yard waste from their general landfill waste. As a result of SB 1383, residents were advised in August 2022 that they are required to also separate their food waste and place it in their existing yard waste container. The residential food waste program began September 1, 2022. The District and Republic continue to monitor participation through annual container inspections and provide additional education and outreach to increase participation. The District monitors the materials being recycled or recovered from landfilling during monthly meetings with District, Republic and consultant staff.

Commercial and Multi-Family Customers

SB 1383 requires all generators of trash to keep recyclables and organic materials from going to the landfill. As of December 2022, the District had 3,400 commercial and multi-family accounts that were not participating in SB 1383 state-mandated programs.

In February 2023, District and Republic staff began the auto-enrollment program for commercial properties who were not compliant with state-mandated programs. The auto-enrollment program is enrolling approximately 250 accounts per month, for a total of over 2,400 commercial and multi-family property customers receiving new services.

Republic is mailing notices to all non-compliant locations and is conducting site visits to verify if a location is eligible for a program waiver. While out in the field performing site visits, Republic staff are reporting containers from other service providers to the District for verification and right-sizing customer service levels.

Automatic enrollment for multi-family properties began in September 2023. Outreach for multi-family properties to voluntarily comply with the program has begun. Through the process, condo and town home developments that have individual cart service, but do not have a landscape debris cart, will be delivered an organics cart included in the residential service rates.

Full compliance is anticipated in alignment with the District's Compliance Action Plan (CAP) that was submitted to CalRecycle, the state enforcement agency. The District has been providing bimonthly CAP reports to CalRecycle and participating in bimonthly meetings with a state representative. Accounts that refuse mandated service or are non-compliant at the end of the auto-enrollment period will receive

further communication regarding their compliance status in 2024 from District staff in alignment with SB 1383's enforcement requirements and the Garden Grove Sanitary District Code of Regulations.

Route Reviews

SB 1383 requires the District or Republic to conduct annual route reviews for incorrect container use monitoring. Republic completed the 2022 route reviews in December and is currently conducting the 2023 route reviews.

The reviews consist of a random inspection of 1% (or 25 accounts, whichever is larger) of containers on each trash, recycling, and organic waste collection route. If materials are found to be placed in the incorrect container, the customer will receive a container inspection tag that lists the incorrect material and provides education on how to fix it. If the contents of the container are not hazardous, the customer will receive a courtesy pickup and the contents may be disposed of at the landfill due to the incorrect materials. Otherwise, the customer will receive a non-collection notice where they are instructed to remove the incorrect materials before the container can be serviced on their next regular collection day. Per the Agreement, residential customers will receive three (3) warnings, while commercial and multi-family with bins receive one (1) warning before Republic can assess a fee for the extra cost in processing the contaminated container.

Summary

Public Works and District staff continue to work with Republic and monitor their performance of the Agreement. All parties meet on a monthly basis to ensure all new elements of the Agreement are being tracked, implemented, and monitored, in addition to daily conversations as issues arise. As a result, the District's residents and businesses are receiving the additional services included in the amended Agreement and issues are being addressed as they are reported. The District is making progress towards full compliance with state-mandated regulations.

FINANCIAL IMPACT

None.

RECOMMENDATION

It is recommended that the Garden Grove Sanitary District:

- Receive and file the attached report.

By: Mark Ladney, Senior Program Specialist

ATTACHMENTS:

Description	Upload Date	Type	File Name
Complaint Log Analysis January to June 2023	9/13/2023	Backup Material	Jan_- _Jun_2023_Complaint_Log_Analysis.pdf

Republic Services Customer Service Calls and Missed Collection Data*

January through June 2023

Table 1: Call Type Summary

Complaint Request	Count of Call Type
January	180
Complaint	43
Escalation	137
February	238
Damage/Leak/Spill	3
Complaint	33
Escalation	202
March	44
Damage/Leak/Spill	1
Complaint	6
Escalation	37
April	340
Damage/Leak/Spill	9
Complaint	14
Escalation	317
May	138
Damage/Leak/Spill	2
Complaint	9
Escalation	127
June	362
Damage/Leak/Spill	6
Complaint	16
Escalation	340
Jan - Jun 2023 Total	1302

Figure 1: Jan - Jun 2023 Call Escalations by Category - Service Only

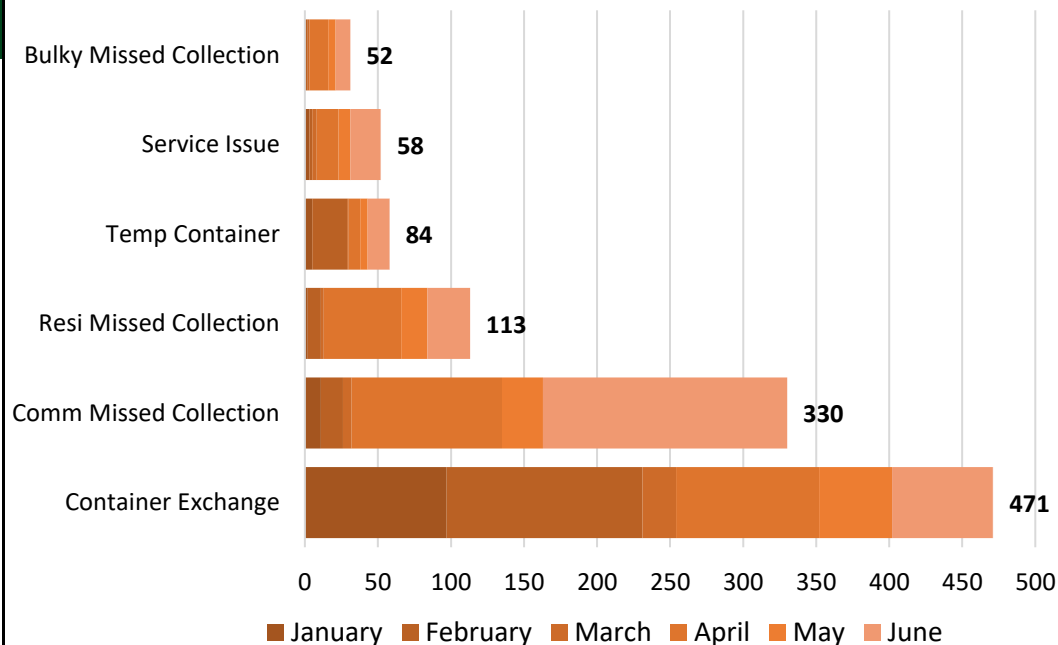
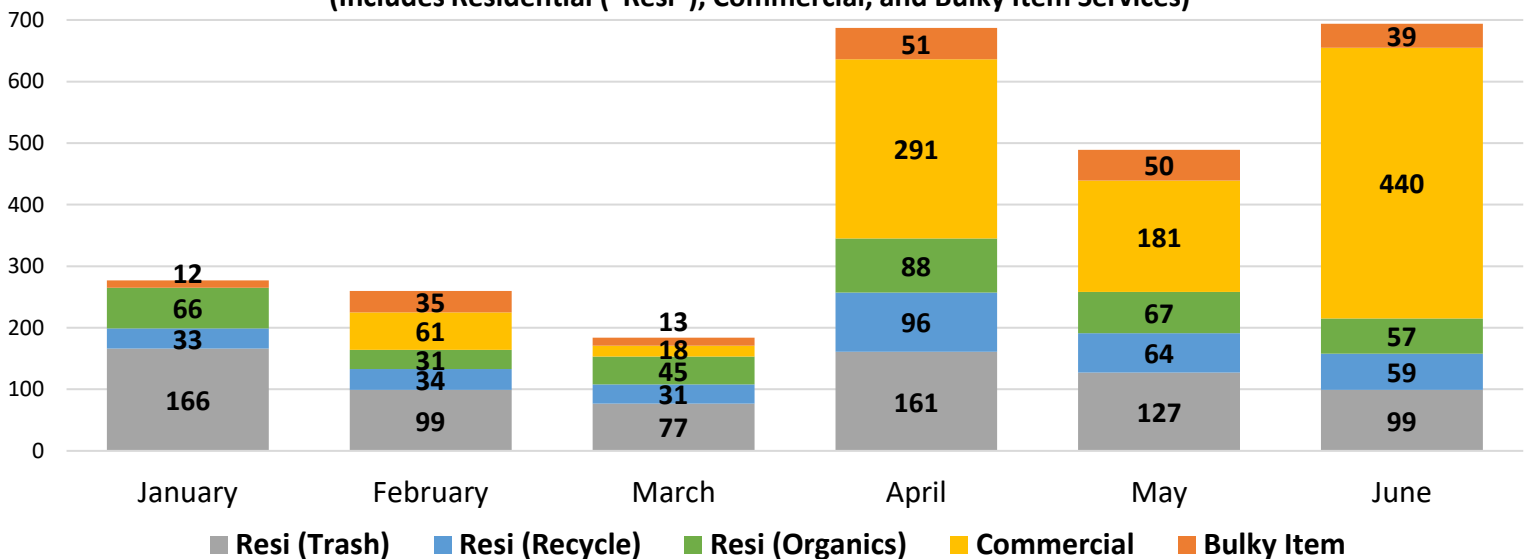


Table 2: Missed Collections Compared to Service Opportunities

Period	Missed Collections	Service Opportunities	% Missed Collections
Q1: Jan - Mar 2023	661	1,246,339	0.053%
Q2: Apr - Jun 2023	1,730	1,342,854	0.129%
Total Jan - Jun 2023	2,391	2,589,193	0.092%

Figure 2: Jan - Jun 2023 Missed Collections by Month and Service Category
(Includes Residential ("Resi"), Commercial, and Bulky Item Services)



*Analysis based on data provided by Republic per requirements of the franchise agreement.