



# Agenda Item

## City Council

---

**Item #:** 3.5.

5/13/2025

**File #:** 25-0224

---

**TO:** Honorable Mayor and Members of the City Council

**THRU:** Tom Kisela, City Manager

**FROM:** Christopher Cash, Public Works Director

### 1. SUBJECT

Second Amendment to the 2009 Waste Disposal Agreement with the County of Orange for a 12-month extension to the existing Waste Disposal Agreement.

### 2. SUMMARY

Solid waste disposal at Orange County landfills is governed by a Waste Disposal Agreement under which cities and sanitary districts agree to exclusively deposit certain waste at the County of Orange's landfills in exchange for low and stable disposal rates. The current Waste Disposal Agreement was entered into in 2009 and subsequently amended to extend the term through June 30, 2025. The Orange County City Manager Association is currently negotiating a successor agreement to the Waste Disposal Agreement with Orange County Waste & Recycling. Additional time is needed to finalize mutually agreeable terms and disposal fees. The proposed amendment extends the current Waste Disposal Agreement by 12 months to allow for continued negotiations and includes a 2.6% disposal fee increase, per the escalation formula in the current Waste Disposal Agreement.

### 3. RECOMMENDED ACTION

Approve Second Amendment to the 2009 Waste Disposal Agreement with the County of Orange; and authorize the Mayor and City Clerk to execute on behalf of the City.

### 4. FISCAL IMPACT

None.

### 5. STRATEGIC PLAN GOALS

Goal 2: Enhance Economic Development and Achieve Fiscal Sustainability

Goal 3: Enhance Public Communication Strategy and Quality of Life

### 6. DISCUSSION AND BACKGROUND

The current Waste Disposal Agreement (WDA) between all cities and sanitary districts in Orange County and the County of Orange expires on June 30, 2025. In January 2022, OC Waste & Recycling (OCW&R) notified the cities of its intention to revise the WDA to comply with legislative requirements, such as Senate Bill 1383. This bill mandates that local governments divert organic waste from landfills, including food scraps and landscaping waste.

On November 7, 2024, during an Orange County City Manager's summit, OCW&R presented a

proposed successor agreement to the WDA, the Waste Infrastructure System Enhancement (WISE) agreement.

In December 2024, the Orange County City Manager Association (OCCMA) established a committee to negotiate a successor agreement to the WDA. The committee requested an extension of the current WDA to allow more time for these negotiations.

OCW&R has agreed to the OCCMA committee's request for an extension, which will generally provide for a 12-month extension of the current WDA and a 2.6% increase in the disposal fee, following the escalation formula outlined in the current WDA. This extension will allow stakeholders to perform due diligence on a successor agreement and evaluate costs, infrastructure plans, and potential fee adjustments. If the OCCMA committee and OCW&R do not reach mutually agreeable terms by September 30, 2025, monthly updates will be provided to all cities and sanitary districts starting in October 2025.

City staff concludes that executing the Second Amendment is in the public's interest, as it will ensure stable disposal rates and foster collaboration among all cities and sanitary districts in Orange County for an additional year.

## **7. ATTACHMENTS**

- Second Amendment to the Waste Disposal Agreement