

City of Piedmont
COUNCIL AGENDA REPORT

DATE: October 5, 2026

TO: Mayor and Council

FROM: Rosanna Bayon Moore, City Administrator

SUBJECT: Second Reading of Ordinance No. 794 N.S., Amending Ordinance No. 737 N.S. to Extend the Term of the Franchise for Solid Waste Collection Services Granted to Richmond Sanitary Service (DBA Republic Services) by One Additional Year

RECOMMENDATION:

By a single motion: (1) Approve the Second Reading of Ordinance No. 794 N.S., amending Ordinance No. 737 N.S. to extend the Term of the Franchise for Solid Waste Collection Services Granted to Richmond Sanitary Service by One Additional Year and (2) Declaring the Amendments to Ordinance No. 737 N.S. Exempt from the California Environmental Quality Act.

BACKGROUND:

On September 22, 2026, the City Council approved a first reading of Ordinance No. 794 N.S., amending Ordinance No. 737 N.S. to extend the term of the franchise for solid waste collection services granted to Richmond Sanitary Service (DBA Republic Services) by one additional year. The City Council also approved a first amendment to the Solid Waste Collection Service Agreement (Agreement) effective July 1, 2018, to extend the term of the Agreement, authorized the City Administrator to execute related documents, and declared that the amendments were exempt from the California Environmental Quality Act.

Ordinance No. 794 N.S. and related amendments extend the City's Agreement with Republic Services for one year, with the only change being an updated expiration to June 30, 2029. All existing service levels, contractual terms, and rate adjustment procedures in the Agreement are maintained. Republic Services has confirmed its willingness to proceed with such an extension. The extension enables the City to conduct the research, stakeholder engagement, and regulatory review necessary to support well-informed, long-term decision-making for solid waste collection services that best serve the community of Piedmont.

CALIFORNIA ENVIRONMENTAL QUALITY ACT:

The amendment to Ordinance No. 737 N.S. is not a "Project" for purposes of the California Environmental Quality Act ("CEQA") in that, pursuant to CEQA Guidelines Section 15378(b)(4), these amendments are making minor changes to an existing funding mechanism for the continuation of existing and essential solid waste services pursuant to applicable law, and not a commitment to a

specific project which may result in a potentially significant physical impact on the environment (Public Resources Code section 21065; CEQA Guidelines, 14 Cal. Code of Regs. Section 15378.) Moreover, it can be seen with certainty that there is no possibility that the approval of Ordinance No. 794 N.S. will have a significant effect on the environment because Republic Services will continue to provide a similar level of service that the City is currently receiving. (Public CEQA Guidelines, 14 Cal. Code of Regs. Section 15061(b)(3).)

CONCLUSION, COUNCIL ACTION AND NEXT STEPS:

A second and final reading is required for adoption. Since the first reading, no public comments have been received by the City Clerk’s Office. Should the Council approve the ordinance, it will go into effect on November 4, 2026. Following that, City staff proceed with executing the related documents and initiate a community engagement process in early 2027.

By: Rich Cunningham, Interim Public Works Director
 Deniz Ergun, Sustainability Program Manager

ATTACHMENTS:

	Pages	
1	3-5	Ordinance No. 794 N.S.

ORDINANCE 794 N.S.

AN ORDINANCE AMENDING ORDINANCE NO. 737 N.S. TO EXTEND
THE TERM OF THE FRANCHISE FOR SOLID WASTE COLLECTION
SERVICES GRANTED TO RICHMOND SANITARY SERVICE ONE
ADDITIONAL YEAR, AND APPROVING A FIRST AMENDMENT TO THE
SOLID WASTE COLLECTION SERVICE AGREEMENT EFFECTIVE AS OF

JULY 1, 2018 TO EXTEND THE TERM OF THE AGREEMENT, AND
DECLARING THE AMENDMENTS EXEMPT FROM THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT

The City Council of the City of Piedmont hereby ordains as follows:

SECTION 1 RECITALS

WHEREAS, the Legislature of the State of California, by enactment of the California Integrated Waste Management Act of 1989 (“Act”) and subsequent additions and amendments (codified at California Public Resources Code sections 40000 et seq.), has declared that it is in the public interest to authorize and require local agencies to make adequate provisions for Solid Waste Collection within their jurisdiction; and

WHEREAS, the State of California has found and declared that the amount of Solid Waste generated in California, coupled with diminishing landfill space and potential adverse environmental impacts from landfilling and the need to conserve natural resources, have created an urgent need for State and local agencies to enact and implement an aggressive integrated waste management program; and

WHEREAS, the State has, through enactment of the Act, directed the responsible State agency, and all local agencies, to promote disposal site diversion and to maximize the use of feasible Solid Waste reduction, re-use, recycling, and organics composting options in order to reduce the amount of Solid Waste that must be disposed of in disposal sites; and

WHEREAS, pursuant to Public Resources Code section 40059(a), as may be amended from time to time, the City has determined that the public health, safety, and well-being require that an exclusive right be awarded to a qualified contractor to provide for the collection of Garbage, Recyclable Material, and Organic Waste, except for collection of materials excluded in the City Code, and other services related to meeting the City’s goal of 75% reduction of waste to landfills, the California Integrated Waste Management Act 50% diversion requirement, the State’s 50% diversion requirement and 75% diversion goal by 2020 and other requirements of the Act, AB 341, AB 1826, SB 1383 and other local, State and federal requirements.

WHEREAS, in 2017 the City undertook a competitive procurement process for solid waste collection services; and

WHEREAS, as a result of that competitive procurement process, Contractor was selected by the City and the City Council adopted Ordinance No. 737 N.S. on January 16, 2018, granting a Franchise for Solid Waste Collection Services to Richmond Sanitary Service (dba Republic Services) and approving a Solid Waste Collection Service Agreement with Richmond Sanitary Service, Inc. (“Agreement”); and

WHEREAS, Richmond Sanitary Service, Inc. has been providing solid waste collection services since July 1, 2018 to provide for the collection of Garbage, Recyclable Material, and Organic Waste, except for collection of materials excluded in the City Code, and other services related to meeting the City’s waste reduction and diversion goals consistent with the Act, AB 341, AB 1826, SB 1383, and other local, State and federal requirements; and

WHEREAS, Richmond Sanitary Service, Inc., has been meeting all the key requirements of the Agreement- including but not limited to Diversion Requirement (Article 5) and Quality of Performance (Article 19) of the Agreement; and

WHEREAS, under the current Solid Waste Collection Service Agreement, the City has until December 31, 2026 to determine whether or not to pursue a five-year extension with Richmond Sanitary Service, Inc; and

WHEREAS, the City departments responsible for oversight of Solid Waste Collection Service Agreement are experiencing significant staff transitions that limit capacity to conduct the needed research, community engagement, and regulatory review to consider a five-year extension; and

WHEREAS, the City Council wishes to amend Ordinance No. 737 N.S. to extend the Grant of Franchise for one additional year.

SECTION 2 AMENDMENT TO ORDINANCE NO. 737 N.S.

The City Council of the City of Piedmont hereby amends Section 2 of Ordinance No. 737 N.S., “Grant of Franchise” to repeal it in its entirety and replace it to read as follows:

“SECTION 2 GRANT OF FRANCHISE

The City Council of the City of Piedmont hereby grants an exclusive franchise to Richmond Sanitary Service, Inc. for Solid Waste Collection Services, for a period of eleven years, beginning on July 1, 2018 and continuing through June 30, 2029.”

Except as specifically amended herein, all other provisions of Ordinance No. 737 N.S., shall remain in effect.

SECTION 3 AMENDMENT TO AGREEMENT

The City Council hereby approves the First Amendment to the Solid Waste Collection Services Agreement labeled Exhibit A, attached hereto and incorporated into this ordinance, amending the

Solid Waste Collection Services Agreement with Richmond Sanitary Service Inc., to revise Sections 2.01 (Term), 2.02 (Extension of Term), 2.03 (Voiding of Extension), and 2.04 (Diversion Performance Extension Options) within Article 2 of the Agreement to extend the Term one additional year.

SECTION 4 CALIFORNIA ENVIRONMENTAL QUALITY ACT EXEMPTION

The Council finds and determines that the foregoing amendments to Ordinance No. 737 N.S. and the Solid Waste Collection Services Agreement are not a “Project” for purposes of the California Environmental Quality Act (“CEQA”) in that, pursuant to CEQA Guidelines Section 15378(b)(4), these amendments are making minor changes to an existing funding mechanism for the continuation of existing and essential solid waste services pursuant to applicable law, and not a commitment to a specific project which may result in a potentially significant physical impact on the environment. (Public Resources Code section 21065; CEQA Guidelines, 14 Cal. Code of Regs. Section 15378.)

Moreover, it can be seen with certainty that there is no possibility that the approval of the CSA with Richmond Sanitary Service will have a significant effect on the environment because Richmond Sanitary Service will continue to provide a similar level of service that the City is currently receiving. (Public CEQA Guidelines, 14 Cal. Code of Regs. Section 15061(b)(3).)

SECTION 5 SEVERABILITY

The provisions of this Ordinance are severable and if any provision, clause, sentence, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, sections, words or parts thereof of the Ordinance or their applicability to other persons or circumstances.

SECTION 6 EFFECTIVE DATE OF ORDINANCE

This ordinance shall be posted at City Hall after its second reading and adoption by the City Council for at least thirty days and shall become effective thirty days after its adoption.