

SUMMARY TABLE  
Amended & Restated Agreement (2026) vs. Current Agreement (2018)

Category (note: sections are per the new Agreement)	New Agreement	Current Agreement
<b><u>Structure &amp; Format (General)</u></b>	60+ pages ✓ Reorganized by SB 1383 compliance ✓ Detailed operational, enforcement & documentation requirements ✓ Designed to track, report, & demonstrate regulatory compliance	20 pages <ul style="list-style-type: none"><li>- Simple collection contract</li><li>- Lacks compliance architecture</li><li>- Predates SB 1383 (regs adopted 2020)</li><li>- Operational language dominates</li></ul>
<b><u>Self-Hauling / Exemptions</u></b> Section 2.64 - Definition (Self-Haul) Section 4.3 - Scope of Franchise subsections 4.3(a), (b), and (c)	✓ Expanded exemptions: edible food recovery, state facilities, incidental debris removal, landscape provisions, emergency collections ✓ Imposes SB 1383 restrictions on self-haulers	<ul style="list-style-type: none"><li>- Only mentions limited exemptions, mostly landscaper green waste &amp; incidental C&amp;D</li></ul>
<b><u>Waivers</u></b> Section 5 - Waivers for Commercial / Multi-Family Section 14.4(c) - Implementation Record	✓ Waivers exist and are explicitly authorized ✓ Waivers are based on SB 1383 regulations ✓ City has approval authority ✓ WM provides supporting documentation ✓ WM provides 5-year regulatory re-verifications ✓ Documentation creates an audit-defensible record ✓ City approval required ✓ WM must assist and document ✓ Waivers are a mandatory element of SB 1383	<ul style="list-style-type: none"><li>- Only minor concepts</li><li>- NO waiver process</li><li>- NO criteria</li><li>- NO documentation</li><li>- NO enforcement authority</li><li>- NO linkage to any State regulation</li><li>- Contract is not compliant with SB 1383</li></ul>
<b><u>Reporting Requirements</u></b> Section 14 - Reports & Adverse Information 14.1 - Quarterly Reporting 14.2 - Annual Reporting 14.3 - AB 939 Reporting 14.4 - SB 1383 Reporting 14.4(a) - Contamination Monitoring 14.4(b) - Compliance Report 14.4(c) - Implementation Record 14.4(d) - Other 1383 Data	✓ Quarterly / annual reports with tonnage, diversion, and performance data ✓ Full AB 939, AB 341, and AB 1826 compliance reporting ✓ Complete SB 1383 reporting for all required programs ✓ Contamination monitoring with route audits and tagged-cart data ✓ Compliance reports showing non-compliant customers and enforcement actions ✓ A maintained SB 1383 Implementation Record for City and State review ✓ Procurement credit data and edible food recovery reporting ✓ Inspection, monitoring, and waiver documentation ✓ Facility disposition reports showing where all materials go ✓ Customer complaint logs and resolution summaries. ✓ Operational metrics, route performance, and corrective actions ✓ Gross receipts verification upon request	<ul style="list-style-type: none"><li>- Almost NO reporting structure</li><li>- Basic diversion and contamination records only</li><li>- NO State-mandated reporting references</li><li>- This agreement contains NO procurement reporting, no edible food reporting, no implementation record, all required under State law today</li></ul>

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<b><u>Enforcement / Compliance</u></b> Section 5.8 - Contamination Monitoring 5.8(a) - Route Monitoring 5.8(b) - Prohibited Container Contaminants / Fees Section 19.2 - SB 1383 Complaints Section 24.7 - Changes in Law	✓ WM monitors routes, tags contaminated carts, and reports contamination ✓ WM identifies prohibited contaminants, conducts waste audits, and applies contamination fees when directed ✓ WM logs, investigates, and documents all SB 1383 complaints ✓ WM adjusts services as laws change to keep the City compliant ✓ The City retains full enforcement authority; WM provides data and support ✓ WM supplies required SB 1383 reporting and documentation to assist City enforcement	<ul style="list-style-type: none"><li>- NO enforcement framework</li><li>- NO trigger or documentation</li><li>- NO contamination management structure</li><li>- NO recordkeeping or notification process</li><li>- NO concept of repeat violator tracking</li><li>- NO link to compliance or enforcement</li><li>- Does not support SB 1383 monitoring requirements</li><li>- NO smart truck technology</li><li>- NO compliance framework</li><li>- NO distinction between roles</li></ul>
<b><u>Inspection / Monitoring</u></b> Section 5.8 - Contamination Monitoring	✓ City retains enforcement authority ✓ WM supports monitoring via documentation ✓ WM provides repeat-violation reporting ✓ City receives all evidence needed for SB 1383 compliance and audits	<ul style="list-style-type: none"><li>- NO inspection language other than “record of non-collection”</li><li>- NO SB 1383 monitoring requirements</li></ul>
<b><u>Edible Food Recovery</u></b> Section 2.28, 2.31, and 2.34 - Definitions Section 4.3(m) - Edible Food Recovery Section 6.2(a) - General Section 14.4 - SB 1383 Reporting	✓ Recognizes edible food as NOT trash ✓ Requires WM to cooperate with food recovery organizations ✓ Provides SB 1383-compliant generator list ✓ Supports CalRecycle implementation records ✓ Educates generators on edible food prevention and donation ✓ Enables nonprofits to operate without franchise interference	<ul style="list-style-type: none"><li>- Contains zero references to edible food</li></ul>
<b><u>Franchise Fees &amp; Administrative Fees</u></b> Section 9.1 - Franchise Fees Section 9.2(b) - Billing Fees Section 9.2(c) - Recycling Admin Fee	✓ Proposition 218-compliant structure ✓ City may adjust franchise fees through future Prop 218 processes ✓ Segregated revenue streams eliminate audit exposure ✓ Strong Prop 218 defensibility ✓ Billing Fee offsets City staffing, account management, and processing costs ✓ Recycling Admin Fee offsets costs for the unfunded mandated programs ✓ Billing transparency enables rate stability & audit compliance	<ul style="list-style-type: none"><li>- Fixed franchise fee of 10%</li><li>- Broad application, transparency</li></ul>
<b><u>SB 1383 (embedded throughout)</u></b> Section 5(a) - Services Provided by Contractor Section 5.1(e) - Mandatory Service Waivers Section 5.10 - SB 1383 Compliance Reviews	✓ State mandates explicitly referenced (AB 939, 341, 1826, SB 1383)	<ul style="list-style-type: none"><li>- NO SB 1383 references (predates the regulations)</li></ul>

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<b><u>SB 1383 (cont.)</u></b> Section 10.4(3)(vi) - Liquidated Damages Section 14.4 - SB 1383 Reporting Section 19.2(b) SB 1383 Service Complaints	✓ Agreement includes required organics monitoring and enforcement standards ✓ Contract automatically aligns with future State law changes ✓ Documentation obligations support CalRecycle audits ✓ Enforcement and reporting aligned with regulatory language ✓ Procurement compliance fully integrated ✓ Clear, defensible waiver process (low-volume, space constraints, self-haul).	- NO SB 1383 references (predates the regulations)
<b><u>Street Sweeping</u></b> Section 5.5(o) - Additional, Non-Regular Services & Exhibit G	There is explicit street sweeping administration and oversight language: ✓ Dedicated routing coordinator required ✓ Complaint resolution responsibility ✓ City access to direct contact ✓ Requirement for sufficient staffing ✓ Administration obligations clarified	- NO operational requirements - NO performance standards - NO monitoring, reporting, or complaint process - NO identified point of contact - NO SB 1383 compliance tie-in
<b><u>Procurement &amp; Credits Organic Waste Products</u></b> Section 5.9 - Procurement of Recovered Organic Waste Products Section 5.9(a) - Procurement Credits Section 14.4 - SB 1383 Report	✓ Fully compliant with SB 1383 ✓ City CAN count procurement credits ✓ Enables partnerships with IEUA, schools, parks ✓ Requires documentation, verification, certification ✓ City Manager can execute procurement agreements ✓ Cost neutral	- NO procurement language - NO SB 1383 compliance - NO reporting, documentation, or MOUs - NO structure to count procurement credits