

AGENDA
REGULAR CITY COUNCIL MEETING
COUNCIL CHAMBERS
5000 CLARK AVENUE
LAKEWOOD, CALIFORNIA

October 12, 2021

ADJOURNED MEETING:

6:00 p.m.

INTRODUCTION OF ORDINANCE NO. 2021-5; SENATE BILL 1383

MAPLE ROOM

ORGANICS ORDINANCE - Staff recommends that the City Council introduce the proposed ordinance and conduct the first reading to add Part 5 to Chapter 3 of Article V of the Lakewood Municipal Code to provide for the requirements of collection and recycling of food waste and green waste, and authorize EDCO to begin the public information campaign beginning on November 1, 2021.

CALL TO ORDER

7:30 p.m.

INVOCATION: Dr. Fardad Mogharabi, The Bahá'i Faith Community

PLEDGE OF ALLEGIANCE: Camp Fire Troop 863

ROLL CALL: Mayor Jeff Wood

Vice Mayor Steve Croft

Council Member Ariel Pe

Council Member Todd Rogers

Council Member Vicki Stuckey

ANNOUNCEMENTS AND PRESENTATIONS:

ROUTINE ITEMS:

All items listed within this section of the agenda are considered to be routine and will be enacted by one motion without separate discussion. Any Member of Council may request an item be removed for individual discussion or further explanation. All items removed shall be considered immediately following action on the remaining items.

RI-1 MEETING MINUTES - Staff recommends the City Council approve Minutes of the Meetings held September 28, 2021.

RI-2 PERSONNEL TRANSACTIONS - Staff recommends City Council approve report of personnel transactions.

RI-3 REGISTERS OF DEMANDS - Staff recommends the City Council approve registers of demands.

RI-4 CITY COUNCIL COMMITTEES' ACTIVITIES - Staff recommends the City Council received and file the report.

RI-5 MEETING REPORT PURSUANT TO AB1234 - Staff recommends the City Council receive and file the report.

City Council Agenda

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ROUTINE ITEMS: - Continued

RI-6 NOTICE OF COMPLETION – PUBLIC WORKS CONTRACT 2021-2; LAKEWOOD EQUESTRIAN CENTER ABATEMENT AND DEMOLITION - Staff recommends City Council accept the work performed by Interior Demolition Inc. in amount of \$122,085.00, authorize City Clerk to file Notice of Completion for project; and ratify Change Orders Nos. 1-3 in the net additional amount of \$16,555.00.

RI-7 AMENDMENT NO. 2 TO AGREEMENT FOR EMPLOYMENT OF CITY MANAGER - It is recommended that the City Council approve the proposed amendment.

LEGISLATION:

2.1 INTRODUCTION OF ORDINANCE NO. 2021-4; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING THE MUNICIPAL CODE PERTAINING TO COMPENSATION OF MEMBERS OF THE CITY COUNCIL; RESOLUTION NO. 2021-58; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD RELATING TO COMPENSATION - Staff recommends the City Council introduce proposed ordinance and adopt proposed resolution.

REPORTS:

3.1 NOMINATION TO FILL A VACANCY ON THE SOUTHEAST LOS ANGELES COUNTY WORKFORCE DEVELOPMENT BOARD (WDB) - As the Lakewood City Council's representative on the WDB Policy Board, the Mayor recommends the City Council approve the nomination of Michael Segura as one of Lakewood's business sector representatives to the WDB.

3.2 LAKEWOOD STATE LEGISLATIVE BILL POSITIONS AND FINAL OUTCOMES IN 2021 - Staff recommends the City Council receive and file the report.

AGENDA LAKEWOOD SUCCESSOR AGENCY

1. REGISTER OF DEMANDS - Staff recommends Successor Agency approve registers of demands.

AGENDA LAKEWOOD HOUSING SUCCESSOR AGENCY

1. REGISTER OF DEMANDS - Staff recommends Housing Successor Agency approve registers of demands.

ORAL COMMUNICATIONS:

ADJOURNMENT

In compliance with the Americans with Disabilities Act, if you are a qualified individual with a disability and need an accommodation to participate in the City Council meeting, please contact the City Clerk's Office, 5050 Clark Avenue, Lakewood, CA, at 562/866-9771, ext. 2200; or at cityclerk@lakewoodcity.org at least 48 hours in advance to ensure that reasonable arrangements can be made to provide accessibility to the meeting.

Agenda items are on file in the Office of the City Clerk, 5050 Clark Avenue, Lakewood, and are available for public review during regular business hours. Any supplemental material distributed after the posting of the agenda will be made available for public inspection during normal business hours in the City Clerk's Office. For your convenience, the agenda and the supporting documents are available in an alternate format by request and are also posted on the City's website at www.lakewoodcity.org

Adjourned

COUNCIL AGENDA

October 12, 2021

TO: The Honorable Mayor and City Council

SUBJECT: Introduction of Senate Bill 1383 Organics Ordinance

INTRODUCTION

Senate Bill (SB) 1383 requires all jurisdictions to adopt an enforceable ordinance to implement the Short-Lived Climate Pollutants: Organics Waste Reduction regulations set forth by the California Department of Resources Recycling and Recovery (CalRecycle) as well as implementation of a food recovery program.

The City's solid waste collection services are provided under a service provider agreement (Agreement) with EDCO Waste Services, LLC (EDCO). SB 1383 regulations necessitated an increase to the level of services provided by EDCO to implement a comprehensive organics program for both residential and commercial accounts, requiring EDCO to recycle the mixed collection of green waste and food waste. On June 8, 2021, Council authorized an amendment to the Agreement to implement an organics collection and recycling program to account for the increased scope of an organics collection stream. On July 27, 2021, a Proposition 218 rate hearing was held to address the additional operating costs associated with the organics waste stream. Commercial rates went into effect on July 1, 2021, and the corresponding residential rate increase for the Organics Program will take effect on January 1, 2022.

Staff has prepared an ordinance adding Part 5 to Chapter 3 of Article V of the Lakewood Municipal Code to provide for the requirements of collecting and recycling of food waste and green waste, and to ensure compliance by every Lakewood resident and business. The members of the Environmental Management Committee met on October 4, 2021, and have reviewed the proposed Organics Ordinance.

If the City Council does not require any substantial changes to the proposed ordinance, a recommendation has been provided below for the introduction and first reading of the ordinance at this meeting. The second reading and adoption would be scheduled for October 26, 2021, and it would become effective thirty days thereafter. If the Council requests any substantial revisions to the ordinance, the first reading of a revised ordinance could take place on October 26, 2021, with the second reading adoption on November 9, 2021, which would still allow for the ordinance to become effective by the January 1, 2022 deadline set by CalRecycle.

STATEMENT OF FACT

AB 341 / AB 1826

Assembly Bill (AB) 341, enacted by the State in 2011, required commercial businesses and public entities that generate four cubic yards or more of organic waste per week to implement a recycling program. AB 1826, enacted in 2014, required businesses and multi-family units to implement a recycling program to divert organic waste and report progress to CalRecycle. Local jurisdictions were assigned the responsibility of ensuring full compliance for both mandates. Although both laws required recycling, they do not include non-compliance penalties.

SB 1383

Due to low participation and compliance statewide with AB 341 and AB 1826, the State enacted SB 1383 in 2016, expanding upon the previous legislation, and setting aggressive targets for reducing organic waste sent to landfills through a source-separated solid waste collection system. The legislation requires all California jurisdictions to implement mandatory organic recycling programs aimed at single-family residential, multi-family residential, and commercial solid waste generators. The law grants CalRecycle the regulatory authority to oversee the implementation of local programs. The law also grants CalRecycle the ability to monitor performance and levy penalties against the jurisdiction for non-compliance.

In addition, it is important to note the law also requires jurisdictions to implement a food recovery program to assist the State in increasing edible food recovery by 20% by 2025.

SB 1383 Requirements as amended by SB 619:

The following table identifies the various responsibilities placed on the City by CalRecycle and the City's corresponding compliance actions.

	SB 1383 Requirements	City Action
a	Provide organic waste collection services to all residents and businesses.	<ul style="list-style-type: none">• <i>Adopt a SB 1383 enforcement ordinance by January 1, 2022. (Introduction tonight).</i>• <i>January 1, 2022: Implementation required.</i>• <i>January 1, 2024: Administrative Civil penalties imposed on Jurisdiction for non-compliance.</i>
b	Establish an edible food recovery program.	<ul style="list-style-type: none">• <i>Implement a Food Recovery Program consisting of a Food Recovery Handbook, list of food recovery organizations, and sample agreement and reporting requirements (Ongoing by City).</i>• <i>Educate commercial edible food generators (Ongoing by City).</i>• <i>Increase commercial edible food generators access to food recovery organizations and services (Ongoing by City).</i>• <i>Monitor commercial edible food generators compliance (January 1, 2022).</i>

c	Conduct outreach and education to waste generators.	<ul style="list-style-type: none"> • <i>Staff will continue outreach and educational efforts.</i> • <i>Recent activities have included brochures, inspections, waste audits, and booths at three public events.</i>
d	Perform capacity planning covering 15 years for organic waste diversion from landfills.	<ul style="list-style-type: none"> • <i>Staff has been participating in the County-wide capacity planning meetings and will present to Council as appropriate.</i>
e	Procure recovered organic waste products (i.e., compost, mulch, biomass electricity, Renewable Natural Gas (RNG)) to satisfy annual targets.	<ul style="list-style-type: none"> • <i>City will comply through EDCO's use of RNG for their collection and disposal vehicles.</i>
f	Adopt enforceable mechanisms to implement SB 1383 Regulations by January 1, 2022.	<ul style="list-style-type: none"> • <i>Administrative Civil penalties for non-compliance will take place starting from January 1, 2024.</i>
g	Require new residential and commercial developments to account for space for a green/organics container collection container.	<ul style="list-style-type: none"> • <i>The City's Conditions of Approval for new development will include requirements for residential and commercial construction to account for space for a green/organics container.</i>

Failure by a local jurisdiction to enact enforceable mechanisms to implement and undertake all SB 1383 regulations by January 1, 2022, may result in fines against the City up to \$10,000 per day beginning January 1, 2024. State Senator John Laird authored legislation (SB 619) to allow jurisdictions one additional year to come into compliance with SB 1383 without jurisdictions being subject to penalties by CalRecycle. The bill was modified after introduction to remove the year-long extension, but does provide for a waiver of administrative penalties for the jurisdiction prior to January 1, 2024, provided the jurisdiction has made a good-faith effort towards compliance.

Operations

As referenced above, the City will be partnering with EDCO to comply with SB 1383. Compliance will require EDCO to provide additional equipment and associated services. EDCO as the service provider will incur additional costs which resulted in a residential rate increase effective January 1, 2022, previously approved by the City Council.

Commercial and Multi-family customers will be required to contract with EDCO for a three-container collection service and will be required to house the additional organic container on-site. If commercial and multi-family customers are not currently in compliance with AB 1826, they may see an increase in their bills as they add additional containers and collection services for organics and food waste. In addition, commercial and multi-family customers will be required to educate their employees, tenants, contractors, and customers to place material in the appropriate containers.

Residents currently participate in a three-cart collection service for refuse, recycling and green waste. Residents will be asked to separate their food waste from their regular grey cart waste and place food waste in the green waste cart along with green waste.

By implementing the SB 1383 Ordinance and amending the Agreement with EDCO, the City will be compliant with SB 1383 regulations. SB 1383 is an unfunded mandate. Most in the industry believe the regulations will evolve as it is implemented. Staff is fully aware of complications regarding enforcement and collection standards set forth by the legislation and will adapt during implementation as required.

RECOMMENDATION

It is recommended that the City Council:

- (1) Introduce the proposed ordinance and conduct the first reading to add Part 5 to Chapter 3 of Article V of the Lakewood Municipal Code to provide for the requirements of collection and recycling of food waste and green waste, and
- (2) Authorize EDCO to begin the public information campaign beginning on November 1, 2021.



Lisa Ann Rapp
Director of Public Works



Thaddeus McCormack
City Manager

ORDINANCE NO. 2021-5

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
LAKEWOOD, CALIFORNIA, ADDING PART 5 TO CHAPTER
3 OF ARTICLE V OF THE LAKEWOOD MUNICIPAL CODE
RELATING TO ORGANIC WASTE COLLECTION

WHEREAS, SB 1383 (Chapter 395, Statutes of 2016) directed the California Department of Resources Recycling and Recovery (“CalRecycle”) to adopt regulations to reduce organic waste by 50 percent from its 2014 baseline level by 2020 and 75 percent by 2025; and

WHEREAS, SB 1383 also requires the regulations to recover, for human consumption, at least 20 percent of edible food that is currently thrown away; and

WHEREAS, CalRecycle promulgated regulations as directed in SB 1383 in Chapter 12 (Short-Lived Climate Pollutants) of Division 7 of Title 14 of the California Code of Regulations (the “SB 1383 Regulations”); and

WHEREAS, the SB 1383 Regulations take effect January 1, 2022, and require the City of Lakewood to adopt an Ordinance to enforce the SB 1383 Regulations by said date; and

WHEREAS, the City Council desires to add an Organic Waste Collection Ordinance to comply with the SB 1383 Regulations.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD DOES ORDAIN AS FOLLOWS:

SECTION 1. Part 5 is hereby added to Chapter 3 of Article V of the Lakewood Municipal Code, as set forth in Exhibit “A”, attached hereto and incorporated as though fully set forth herein.

SECTION 2. The list of materials accepted in the source separated containers for solid waste, recyclable materials, and organic waste shall be displayed on the City’s website and may be modified from time to time as appropriate by the Public Works Director in consultation with the City’s service provider for solid waste collection.

SECTION 3. If any section, subsection, clause or phrase in this Ordinance or the application thereof to any person or circumstances is for any reason held invalid, the validity of the remainder of this Ordinance or the application of such provisions to other persons or circumstances shall not be affected thereby. The City Council hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases or the application thereof to any person or circumstance be held invalid.

SECTION 4. The City Clerk shall certify to the adoption of this Ordinance. The City Council hereby finds and determines there are no newspapers of general circulation both published and circulated within the City and, in compliance with Section 36933 of the Government Code, directs the City Clerk to cause said Ordinance within fifteen (15) days after its passage to be posted in at least three (3) public places within the City as established by Ordinance.

SECTION 5. This Ordinance shall take effect and be in full force 30 days after its adoption.

ADOPTED AND APPROVED this _____ day of _____, 2021,
by the following roll call vote:

	AYES	NAYS	ABSENT
Council Member Croft	_____	_____	_____
Council Member Pe	_____	_____	_____
Council Member Rogers	_____	_____	_____
Council Member Stuckey	_____	_____	_____
Mayor Wood	_____	_____	_____

Mayor

ATTEST:

City Clerk

EXHIBIT A

PART 5 ORGANIC WASTE DISPOSAL REDUCTION

5350. DEFINITIONS.

The following terms are defined for the purposes of this Part. In the event of a conflict between the Lakewood Municipal Code and the SB 1383 Regulations, the Lakewood Municipal Code shall prevail.

- A) “Blue Container” has the same meaning as in 14 CCR § 18982.2(a)(5) and shall be used for the purpose of storage and collection of Source Separated Recyclable Materials or Source Separated Blue Container Waste.
- B) “California Code of Regulations” or “CCR” means the State of California Code of Regulations. CCR references in this ordinance are preceded with a number that refers to the relevant Title of the CCR (e.g., “14 CCR refers to Title 14 of CCR).
- C) “CalRecycle” means California’s Department of Resources Recycling and Recovery, which is the Department designated with responsibility for developing, implementing, and enforcing SB 1383 Regulations on Jurisdictions (and others).”City” means the City of Lakewood, California.
- D) “Commercial” or “Commercial Business” means a business, industrial, commercial establishment, or construction site, and any multiple-family, residential dwelling with five (5) units or more on one (1) account.
- E) “Commercial Edible Food Generator” includes a Tier One or a Tier Two Commercial Edible Food Generator as defined in Sections 5350(F)(i) or 5350 (F)(ii) or as otherwise defined in 14 CCR Section 18982(a)(73) and (a)(74). For the purposes of this definition, Food Recovery Organizations and Food Recovery Services are not Commercial Edible Food Generators pursuant to 14 CCR Section 18982(a)(7).
 - i) “Tier One Commercial Edible Food Generator” means a Commercial Edible Food Generator that is one of the following:
 - (1) Supermarket.
 - (2) Grocery Store with a total facility size equal to or greater than 10,000 square feet.
 - (3) Food Service Provider.
 - (4) Food Distributor.
 - (5) Wholesale Food Vendor.If the definition in 14 CCR Section 18982(a)(73) of Tier One Commercial Edible Food Generator differs from this definition, the definition in 14 CCR Section 18982(a)(73) shall apply to this Part.

(ii) “Tier Two Commercial Edible Food Generator” means a Commercial Edible Food Generator that is one of the following:

- (1) Restaurant with 250 or more seats, or a total facility size equal to or greater than 5,000 square feet.
- (2) Hotel with an on-site Food Facility and 200 or more rooms.
- (3) Health facility with an on-site Food Facility and 100 or more beds.
- (4) Large Venue.
- (5) Large Event.
- (6) A State agency with a cafeteria with 250 or more seats or total cafeteria facility size equal to or greater than 5,000 square feet.
- (7) A Local Education Agency facility with an on-site Food Facility.

If the definition in 14 CCR Section 18982(a)(74) of Tier Two Commercial Edible Food Generator differs from this definition, the definition in 14 CCR Section 18982(a)(74) shall apply to this Part.

- F) “Community Composting” means any activity that composts green material, agricultural material, food material, and vegetative food material, alone or in combination, and the total amount of feedstock and compost on-site at any one time does not exceed 100 cubic yards and 750 square feet, as specified in 14 CCR § 17855(a)(4); or, as otherwise defined by 14 CCR § 18982(a)(8).
- G) “Compliance Review” means a review of records by the City to determine compliance with this Part.
- H) “Container.” A cart, bin, roll-off, compactor or similar receptacle used to temporarily store solid waste, organics or recyclables for collection service.
- I) “Container Contamination” or “Contaminated Container” means a container, regardless of color, that contains Prohibited Container Contaminants, or as otherwise defined in 14 CCR § 18982(a)(55).
- J) “Designated Source Separated Organic Waste Facility” shall have the same definition as 14 CCR § 18982(14.5).
- K) “Designee” means an entity that the City contracts with or otherwise arranges to carry out any of the City’s responsibilities as authorized in 14 CCR § 18981.2. A Designee may be a government entity, a hauler, a private entity, or a combination of those entities.
- L) “Edible Food” means food intended for human consumption, or as otherwise defined in 14 CCR § 18982(a)(18). “Edible Food” is not Solid Waste if it is recovered and not discarded.

- M) “Enforcement Action” means an action of the City to address non-compliance including, but not limited to, issuing administrative citations, fines, penalties, or using other remedies.
- N) “Enforcement Officer” means the City Manager, Public Works Director, or his/her authorized Designee(s) who is/are partially or whole responsible for enforcing this Part.
- O) “Food Recovery” means actions to collect and distribute food for human consumption that otherwise would be disposed, or as otherwise defined in 14 CCR § 18982(a)(24).
- P) “Food Recovery Organization” means an entity that engages in the collection or receipt of Edible Food from Commercial Edible Food Generators and distributes that Edible Food to the public for Food Recovery either directly or through other entities or as otherwise defined in 14 CCR § 18982(a)(25), including, but not limited to:
- i) A food bank as defined in Section 113783 of the Health and Safety Code;
 - ii) A nonprofit charitable organization as defined in Section 113841 of the Health and Safety Code; and,
 - iii) A nonprofit charitable temporary food facility as defined in Section 113842 of the Health and Safety Code.
- Q) “Food Recovery Service” means a person or entity that collects and transports Edible Food from a Commercial Edible Food Generator to a Food Recovery Organization or other entities for Food Recovery, or as otherwise defined in 14 CCR § 18982(a)(26).
- R) “Food Waste” means food scraps separated from Solid Waste and offered for collection by Franchisee, that will decompose and/or putrefy including (i) all kitchen and table food waste, and animal or vegetable waste that attends or results from the storage, preparation, cooking or handling of food stuffs, and (ii) paper waste contaminated with food waste. Food waste excludes fats, oils, and grease when such materials are Source Separated from other Food.
- S) “Generator” or “Waste Generator” means a person or entity that is responsible for the initial creation of waste.
- T) “Gray Container” has the same meaning as in 14 CCR § 18982.2(a)(28) and shall be used for the purpose of storage and collection of Gray Container Waste.
- U) “Gray Container Waste” means Solid Waste that is collected in a Gray Container that is part of a three-container Organic Waste collection service that prohibits the placement of Organic Waste in the Gray Container as specified in 14 CCR §§ 18984.1(a)-(b), or as otherwise defined in 14 CCR § 17402(a)(6.5).
- V) “Green Container” has the same meaning as in 14 CCR § 18982.2(a)(29) and shall be used for the purpose of storage and collection of Source Separated Green Container

Organic Waste.

- W) “Green Waste” means any and all forms of biodegradable plant material which can be placed in a covered Container, such as wastes generated from the maintenance or alteration of public, commercial or residential landscapes including, but not limited to, yard clippings, leaves, tree trimmings, prunings, brush, and weeds as well as green waste. Tree stumps and limbs greater than three (3) inches in diameter are excluded unless they are reduced to a chipped form; otherwise, such large portions of Green Waste shall be considered Bulky Waste.
- X) “Grocery Store” means a store primarily engaged in the retail sale of canned food; dry goods; fresh fruits and vegetables; fresh meats, fish, and poultry; and any area that is not separately owned within the store where the food is prepared and served, including a bakery, deli, and meat and seafood departments, or as otherwise defined in 14 CCR § 18982(a)(30).
- Y) “High Diversion Organic Waste Processing Facility” means a facility that is in compliance with the reporting requirements of 14 CCR § 18815.5(d) and meets or exceeds an annual average Mixed Waste organic content Recovery rate of 50 percent between January 1, 2022 and December 31, 2024, and 75 percent after January 1, 2025, as calculated pursuant to 14 CCR § 18815.5(e) for Organic Waste received from the “Mixed waste organic collection stream” as defined in 14 CCR § 17402(a)(11.5); or, as otherwise defined in 14 CCR § 18982(a)(33).
- Z) “Inspection” means a site visit at which the City reviews records, containers, and an entity’s collection, handling, recycling, or landfill disposal of Organic Waste or Edible Food handling to determine if the entity is complying with requirements set forth in this Part, or as otherwise defined in 14 CCR § 18982(a)(35).
- AA) “Integrated Waste Collection.” means the collection of Source Separated Green Container Organic Waste in the Green Container, Source Separated Recyclable Materials in the Blue Container; and Gray Container Waste in the Gray Container.
- BB) “Large Event” means an event, including, but not limited to, a sporting event or a flea market, that charges an admission price, or is operated by a local agency, and serves an average of more than 2,000 individuals per day of operation of the event, at a location that includes, but is not limited to, a public, nonprofit, or privately owned park, parking lot, golf course, street system, or other open space when being used for an event.
- CC) “Large Venue” means a permanent venue facility that annually seats or serves an average of more than 2,000 individuals within the grounds of the facility per day of operation of the venue facility. A venue facility includes, but is not limited to, a public, nonprofit, or privately owned or operated stadium, amphitheater, arena, hall, amusement park, conference or civic center, zoo, aquarium, airport, racetrack, horse track, performing arts

center, fairground, museum, theater, or other public attraction facility. A site under common ownership or control that includes more than one Large Venue that is contiguous with other Large Venues in the site, is a single Large Venue.

- DD) “Local Education Agency” means a school district, charter school, or county office of education that is not subject to the control of city or county regulations related to Solid Waste, or as otherwise defined in 14 CCR § 18982(a)(40).
- EE) “Mixed Waste Organic Collection Stream” or “Mixed Waste” means Organic Waste collected in a container that is required by 14 CCR §§ 18984.1, 18984.2 or 18984.3 to be taken to a High Diversion Organic Waste Processing Facility or as otherwise defined in 14 CCR § 17402(a) (11.5).
- FF) “Multi-Family Residential Dwelling” or “Multi-Family” means of, from, or pertaining to residential premises with five (5) or more dwelling units such as apartments, condominiums and town homes. Multi-Family premises do not include hotels, motels, or other transient occupancy facilities, which are considered Commercial Businesses.
- GG) “Notice of Violation” or “NOV” means a notice that a violation has occurred that includes a compliance date to avoid an action to seek penalties, or as otherwise defined in 14 CCR § 18982(a)(45) or further explained in 14 CCR § 18995.4
- HH) “Organics,” “Organic Waste,” and “Organic Material” means solid wastes containing material originated from living organisms and their metabolic waste products, including, but not limited to, Food Waste, Green Waste, non-hazardous wood waste, and un-waxed food-soiled paper.
- II) “Organic Waste Generator” means a person or entity that is responsible for the initial creation of Organic Waste, or as otherwise defined in 14 CCR § 18982(a)(48).
- JJ) “Paper Products” include, but are not limited to, paper janitorial supplies, cartons, wrapping, packaging, file folders, hanging files, corrugated boxes, tissue, and toweling, or as otherwise defined in 14 CCR § 18982(a)(51).
- KK) “Printing and Writing Papers” include, but are not limited to, copy, xerographic, watermark, cotton fiber, offset, forms, computer printout paper, white wove envelopes, manila envelopes, book paper, note pads, writing tablets, newsprint, and other uncoated writing papers, posters, index cards, calendars, brochures, reports, magazines, and publications, or as otherwise defined in 14 CCR § 18982(a)(54).
- LL) “Prohibited Container Contaminants” means the following: (i) discarded materials placed in the Blue Container that are not identified as acceptable Source Separated Recyclable Materials for the City’s Blue Container; (ii) discarded materials placed in the Green Container that are not identified as acceptable Source Separated Green Container Organic

Waste for the City's Green Container; (iii) discarded materials placed in the Gray Container that are acceptable Source Separated Recyclable Materials and/or Source Separated Green Container Organic Wastes to be placed in the City's Green Container and/or Blue Container; and, (iv) non-Solid Waste items placed in any container.

- MM) "Recovered Organic Waste Products" means products made from California, landfill-diverted recovered Organic Waste processed in a permitted or otherwise authorized facility, or as otherwise defined in 14 CCR § 18982(a)(60).
- NN) "Recovery" means any activity or process described in 14 CCR § 18983.1(b), or as otherwise defined in 14 CCR § 18982(a)(49).
- OO) "Recyclable Material" means material such as, but not limited to, paper, cardboard, glass, metal and aluminum cans, and plastics which is separated from other waste or refuse for the purpose of recycling.
- PP) "Recycling" means the process of collecting and turning used products into new products by reprocessing or remanufacturing them.
- QQ) "Recycled-Content Paper" means Paper Products and Printing and Writing Paper that consists of at least 30 percent, by fiber weight, postconsumer fiber, or as otherwise defined in 14 CCR § 18982(a)(61).
- RR) "Remote Monitoring" means the use of the internet of things and/or wireless electronic devices to visualize the contents of Blue Containers, Green Containers, and Gray Containers for purposes of identifying the quantity of materials in containers (level of fill) and/or presence of Prohibited Container Contaminants.
- SS) "Renewable Natural Gas" means gas derived from the Organic Waste that has been diverted from a California landfill and processed at an in-vessel digestion facility that is permitted or otherwise authorized by 14 CCR to recycle Organic Waste, or as defined in 14 CCR Section 18982(a)(62).
- TT) "Residential" means any residential dwelling or apartment house with less than 5 units.
- UU) "Responsible Party" means the owner, property manager, tenant, lessee, occupant, or other Designee that subscribes to and pays for Recyclable Materials, Organic Materials, and/or Solid Waste collection services for the premises in the City, or, if there is no such subscriber, the owner or the property manager of Residential Premises, Multi-Family premises, or Commercial Premises. In instances of dispute or uncertainty regarding who is the Responsible Party for a premises, Responsible Party shall mean the owner of a Residential Premises, Multi-Family Premises, or Commercial Premises.
- VV) "Route Review" means a visual Inspection of containers along a hauler route for the

purpose of determining Container Contamination and may include mechanical Inspection methods such as the use of cameras, or as otherwise defined in 14 CCR § 18982(a)(65).

- WW) “SB 1383” means Senate Bill 1383 of 2016 approved by the Governor on September 19, 2016., which added Sections 39730.5, 39730.6, 39730.7, and 39730.8 to the Health and Safety Code, and added Chapter 13.1 (commencing establishing methane emissions reduction targets in a Statewide effort to reduce emissions of short-lived climate pollutants as it may be amended, supplemented, superseded, and replaced from time to time).
- XX) “SB 1383 Regulations” means the Short-Lived Climate Pollutants: Organic Waste Reduction regulations developed by CalRecycle and adopted in 2020 that created 14 CCR, Division 7, Chapter 12 and amended portions of regulations of 14 CCR and 27 CCR.
- YY) “Self-Hauler” or “Self-Haul” means a person, who hauls Solid Waste, Organic Waste or recyclable material he or she has generated to another person. Self-Hauler also includes a person who back-hauls waste, or as otherwise defined in 14 CCR § 18982(a)(66). Back-haul means generating and transporting Organic Waste to a destination owned and operated by the generator using the generator’s own employees and equipment, or as otherwise defined in 14 CCR § 18982(a)(66)(A).
- ZZ) “Single-Family” means of, from, or pertaining to any residential premises with fewer than five (5) units.
- AAA) “Solid Waste” has the same meaning as defined in State Public Resources Code Section 40191, as such may be amended from time to time and means all putrescible and non-putrescible solid, semisolid, and liquid wastes, including garbage, trash, refuse, paper, rubbish, ashes, industrial wastes, construction and demolition wastes, abandoned vehicles and parts thereof, discarded home and industrial appliances, dewatered, treated, or chemically fixed sewage sludge that is not hazardous waste, manure, vegetable or animal solid and semisolid wastes, and other discarded solid and semisolid wastes. Solid waste does not include hazardous, radioactive waste or medical waste.
- BBB) “Source Separating” or “Source Separation” means the separation, by the Generator, of materials designated for separate collection for Recycling, Composting, Recovery, or Reuse.
- CCC) “Source Separated Blue Container Waste” means Source Separated Wastes that can be placed in a Blue Container that is limited to the collection of those Organic Wastes and Non-Organic Recyclables as defined in 14 CCR § 18982(a)(43), or as otherwise defined by 14 CCR § 17402(a)(18.7).
- DDD) “Source Separated Green Container Organic Waste” means Source Separated Organic

Waste that can be placed in a Green Container that is specifically intended for the separate collection of Organic Waste by the generator, excluding Source Separated Blue Container Waste, carpets, non-compostable Paper, and textiles.

- EEE) “Supermarket” means a full-line, self-service retail store with gross annual sales of two million dollars (\$2,000,000), or more, and which sells a line of dry grocery, canned goods, or nonfood items and some perishable items, or as otherwise defined in 14 CCR § 18982(a)(71).
- FFF) “Tier One Commercial Edible Food Generator” means a Commercial Edible Food Generator that is one of the following:
- i) Supermarket.
 - ii) Grocery Store with a total facility size equal to or greater than 10,000 square feet.
 - iii) Food Service Provider.
 - iv) Food Distributor.
 - v) Wholesale Food Vendor.
- GGG) “Tier Two Commercial Edible Food Generator” means a Commercial Edible Food Generator that is one of the following:
- i) Restaurant with 250 or more seats, or a total facility size equal to or greater than 5,000 square feet.
 - ii) Hotel with an on-site Food Facility and 200 or more rooms.
 - iii) Health facility with an on-site Food Facility and 100 or more beds.
 - iv) Large Venue.
 - v) Large Event.
 - vi) A State agency with a cafeteria with 250 or more seats or total cafeteria facility size equal to or greater than 5,000 square feet.
 - vii) A Local Education Agency facility with an on-site Food Facility.
- HHH) “Wholesale Food Vendor” means a business or establishment engaged in the merchant wholesale distribution of food, where food (including fruits and vegetables) is received, shipped, stored, prepared for distribution to a retailer, warehouse, distributor, or other destination, or as otherwise defined in 14 CCR § 189852(a)(76).

5351. REQUIREMENTS FOR SINGLE-FAMILY GENERATORS.

A. Single-Family Organic Waste Generators shall:

1. Automatically subscribe to the City’s Organic Waste collection services for all Organic Waste generated as described below in Section 5351(A)(2). The City shall have the right to review the number and size of a generator’s carts to evaluate adequacy of capacity provided for each type of collection service for proper separation of materials and containment of materials; and, Single-Family generators shall adjust its service level for its collection services as requested by the City. Generators may additionally manage their Organic Waste by preventing or reducing their Organic Waste, managing Organic Waste through backyard residential composting, and/or using a community composting site pursuant to 14 CCR Section 18984.9(c)

2. Participate in the City's three-container collection service(s) by placing Source Separated Green Container Organic Waste, including Food Waste, in the Green Container; Source Separated Recyclable Materials in the Blue Container; and Gray Container Waste in the Gray Container. Generator shall not place materials designated for the Gray Container into the Green Container or Blue Container, nor place materials designated for the Green Container or Blue Container into the Gray Container.

5352. REQUIREMENTS FOR COMMERCIAL BUSINESSES.

A. Generators that are Commercial Businesses, including Multi-Family Residential Dwellings, shall:

1. Subscribe to the City's three-container collection services and comply with requirements of those services as described below in Section 5352(A)(2). The City shall have the right to review the number and size of a generator's containers and frequency of collection to evaluate adequacy of capacity provided for each type of collection service for proper separation of materials and containment of materials; and, Commercial Businesses shall adjust their service level for their collection services as requested by the City.

2. Participate in the City's three-container collection service(s) by placing Source Separated Green Container Organic Waste, including Food Waste, in the Green Container; Source Separated Recyclable Materials in the Blue Container; and Gray Container Waste in the Gray Container. Generator shall not place materials designated for the Gray Container into the Green Container or Blue Container, nor place materials designated for the Green Container or Blue Container into the Gray Container.

3. For establishments that require customers to bus their own trash and service items, supply and allow access to an adequate number, size and location of collection containers with sufficient labels or colors (conforming with Section 5352(A)(4)(a)(b) for employees, contractors, tenants, and customers, consistent with the City's Blue Container, Green Container, and Gray Container collection service or, if self-hauling, per the Commercial Businesses' instructions to support its compliance with its self-haul program, in accordance with Sections 5357.

4. Excluding Multi-Family Residential Dwellings, provide containers for the collection of Source Separated Green Container Organic Waste and Source Separated Recyclable Materials in all indoor and outdoor areas where disposal containers are provided for customers, for materials generated by that business. Such containers do not need to be provided in restrooms. If a Commercial Business does not generate any of the materials that would be collected in one type of container, then the business does not have to provide that particular container in all areas where disposal containers are provided for customers. Pursuant to 14 CCR § 18984.9(b), the containers provided by the business shall have either:

a. A body or lid that conforms with the container colors provided through the collection service provided by City, with either lids conforming to the color requirements or bodies conforming to the color requirements or both lids and bodies conforming to color

requirements. A Commercial Business is not required to replace functional containers, including containers purchased prior to January 1, 2022, that do not comply with the requirements of the subsection prior to the end of the useful life of those containers, or prior to January 1, 2036, whichever comes first.

b. Container labels that include language or graphic images, or both, indicating the primary material accepted and the primary materials prohibited in that container, or containers with imprinted text or graphic images that indicate the primary materials accepted and primary materials prohibited in the container. Pursuant 14 CCR § 18984.8, the container labeling requirements are required on new containers commencing January 1, 2022.

5. Multi-Family Residential Dwellings are not required to comply with container placement requirements or labeling requirements in Section 5352(A)(4) pursuant to 14 CCR § 18984.9(b).

6. To the extent practical through education, training, Inspection, and/or other measures, excluding Multi-Family Residential Dwellings, prohibit employees from placing materials in a container not designated for those materials in accordance with Section 5352(A)(2), or if recycling organics onsite or self-hauling per the Commercial Businesses' instructions to support its compliance with its onsite recycling or self-haul program.

7. Excluding Multi-Family Residential Dwellings, periodically inspect containers for contamination and inform employees if containers are contaminated and of the requirements to keep contaminants out of those containers pursuant to 14 CCR § 18984.9(b)(3).

8. Annually provide information to employees, contractors, tenants, and customers about Organic Waste Recovery requirements and about proper sorting of Source Separated Green Container Organic Waste and Source Separated Recyclable Materials.

9. Provide education information before or within fourteen (14) days of occupation of the premises to new generators and/or tenants that describes requirements to keep Source Separated Green Container Organic Waste and Source Separated Recyclable Materials separate from Gray Container Waste (when applicable) and the location of containers and the rules governing their use at each property.

10. Provide or arrange access for the City or its Designee to their properties during all Inspections conducted in accordance with Section 5358 to confirm compliance with the requirements of this Part.

11. Accommodate and cooperate with City's Remote Monitoring program for Inspection of the contents of containers for Prohibited Container Contaminants, to evaluate generator's compliance with Section 5352(A)(2). The Remote Monitoring program shall involve installation of Remote Monitoring equipment on or in the Blue Containers, Green Containers, and Gray Containers.

12. If a Commercial Business wants to self-haul, meet the Self-Hauler requirements in 5357 of this Part.

13. Nothing in this section prohibits a generator from preventing or reducing waste generation, managing Organic Waste on site, or using a community composting site pursuant to 14 CCR Section 18984.9(c).

14. Commercial Businesses that are Tier One or Tier Two Commercial Edible Food Generators shall comply with Food Recovery requirements, pursuant to Section 5354.

5353. WAIVERS FOR COMMERCIAL GENERATORS.

A. De Minimis Waivers. The City may waive a Commercial Business' obligation (excluding Multi-Family Residential Dwellings) to comply with some or all of the Organic Waste requirements if the Commercial Business provides documentation that the business generates below a certain amount of Organic Waste material as described in Section 5353(A)(2) below. Commercial Businesses requesting a de minimis waiver shall:

1. Submit an application to the Public Works Department specifying the services that they are requesting a waiver from and provide documentation as noted in Section 5353(A)(2) below.

2. Provide documentation that either:

a. The Commercial Business' total Solid Waste collection service is two cubic yards or more per week and Organic Waste subject to collection in a Blue Container or Green Container comprises less than 20 gallons per week per applicable container of the business' total waste; or

b. The Commercial Business' total Solid Waste collection service is less than two cubic yards per week and Organic Waste subject to collection in a Blue Container or Green Container comprises less than 10 gallons per week per applicable container of the business' total waste.

3. Notify the City if circumstances change such that Commercial Business's Organic Waste exceeds the threshold required for waiver, in which case the Waiver will be rescinded.

4. Provide written verification of eligibility for the De Minimis Waiver every 5 years, if the City has approved a De Minimis Waiver.

5. The City reserves the right to revoke a De Minimis Waiver at any time if the generator is found to be in violation of any section of this Part.

B. Physical Space Waivers. The City may waive, at the City's sole discretion, a Commercial Business' obligations including Multi-Family Residential Dwellings to comply with some or all of the recyclable materials and/or Organic Waste collection service requirements if the City has evidence from its own staff, a hauler, licensed architect, or licensed engineer

demonstrating that the premises lacks adequate space for the collection containers required for compliance with the Organic Waste collection requirements.

C. A Commercial Business / Multi-family Residence may request a Physical Space Waiver through the following process:

1. Submit an application form to the Public Works Department specifying the type(s) of collection services for which the applicant is requesting a Waiver.

2. Provide documentation that the premises lacks adequate space for Blue Containers and/or Green Containers including documentation from its hauler, licensed architect, or licensed engineer.

3. If a Physical Space Waiver is granted, the applicant may be required to subscribe to a two-container collection service comprised of a Gray Container and a Blue Container (Spilt bin).

4. Provide written verification to the City that it is still eligible for physical space waiver every five years, if the City has approved application for a Physical Space Waiver.

5. The City reserves the right to revoke a Physical Space Waiver at any time if the generator is found to be in violation of any section of this Part.

D. Additional Waivers. The City may provide any additional waivers of the requirements of this Part to the extent permitted by applicable law at the City's sole discretion. The Public Works Director or his or her designee shall be responsible for determining the grounds for the waiver, its scope, and appropriate administration.

E. Review and Approval of Waivers by City. Review and approval of waivers will be the sole responsibility of the Public Works Director or his or her designee.

5354. REQUIREMENTS FOR COMMERCIAL EDIBLE FOOD GENERATORS.

A. Tier One Commercial Edible Food Generators must comply with the requirements of this section commencing January 1, 2022, and Tier Two Commercial Edible Food Generators must comply commencing January 1, 2024, pursuant to 14 CCR Section 18991.3.

B. Large Venue or Large Event operators not providing food services, but allowing for food to be provided by others, shall require Food Facilities operating at the Large Venue or Large Event to comply with the requirements of this section, commencing January 1, 2024.

C. Commercial Edible Food Generators shall comply with the following requirements:

1. Arrange to recover the maximum amount of Edible Food that would otherwise be disposed.

2. Contract with, or enter into a written agreement with Food Recovery Organizations or Food Recovery Services for: (i) the collection of Edible Food for Food recovery; or (ii) acceptance of the Edible Food that the Commercial Edible Food Generator self-hauls to the Food Recovery Organization for Food Recovery.

3. Shall not intentionally spoil Edible Food that is capable of being recovered by a Food Recovery Organization or a Food Recovery Service.

4. Allow the City's designated enforcement entity or designated third party enforcement entity to access the premises and review records pursuant to 14 CCR § 18991.4.

5. Keep records that include the following information, or as otherwise specified in 14 CCR § 18991.4:

a. A list of each Food Recovery Service or organization that collects or receives its Edible Food pursuant to a contract or written agreement established under 14 CCR § 18991.3(b).

b. A copy of all contracts or written agreements established under 14 CCR § 18991.3(b).

c. A record of the following information for each of those Food Recovery Services or Food Recovery Organizations:

i. The name, address and contact information of the Food Recovery Service or Food Recovery Organization.

ii. The types of food that will be collected by or self-hauled to the Food Recovery Service or Food Recovery Organization.

iii. The established frequency that food will be collected or self-hauled.

iv. The quantity of food, measured in pounds recovered per month, collected or self-hauled to a Food Recovery Service or Food Recovery Organization for Food Recovery.

d. Nothing in this ordinance shall be construed to limit or conflict with the protections provided by the California Good Samaritan Food Donation Act of 2017, the Federal Good Samaritan Act, or share table and school food donation guidance pursuant to Senate Bill 557 of 2017-(approved by the Governor of the State of California on September 25, 2017, which added Article 13 [commencing with Section 49580] to Chapter 9 of Part 27 of Division 4 of Title 2 of the Education Code, and to amend Section 1140079 of the Health and Safety Code, relating to food safety, as amended, supplemented, superseded and replaced from time to time).

5355. REQUIREMENTS FOR FOOD RECOVERY ORGANIZATIONS AND SERVICES.

A. Food Recovery Services collecting or receiving Edible Food directly from Commercial Edible Food Generators, via a contract or written agreement established under 14 CCR § 18991.3(b), shall maintain the following records, or as otherwise specified by 14 CCR § 18991.5(a)(1):

1. The name, address, and contact information for each Commercial Edible Food Generator from which the service collects Edible Food.

2. The quantity in pounds of Edible Food collected from each Commercial Edible Food Generator per month.

3. The quantity in pounds of Edible Food transported to each Food Recovery Organization per month.

4. The name, address, and contact information for each Food Recovery Organization that the Food Recovery Service transports Edible Food for Food Recovery.

B. Food Recovery Organizations collecting or receiving Edible Food directly from Commercial Edible Food Generators, via a contract or written agreement established under 14 CCR § 18991.3(b), shall maintain the following records, or as otherwise specified by 14 CCR §18991.5(a)(2):

1. The name, address, and contact information for each Commercial Edible Food Generator from which the organization receives Edible Food.

2. The quantity in pounds of Edible Food received from each Commercial Edible Food Generator per month.

3. The name, address, and contact information for each Food Recovery Service that the organization receives Edible Food from for Food Recovery.

C. Food Recovery Organizations and Food Recovery Services that have their primary address physically located in the City and contract with or have written agreements with one or more Commercial Edible Food Generators pursuant to 14 CCR § 18991.3(b) shall report to the City it is located in the total pounds of Edible Food recovered in the previous calendar year from the Tier One and Tier Two Commercial Edible Food Generators they have established a contract or written agreement with pursuant to 14 CCR § 18991.3(b) no later than July 1, of each calendar year.

D. Food Recovery Capacity Planning

1. Food Recovery Services and Food Recovery Organizations. In order to support Edible Food Recovery capacity planning assessments or other studies conducted by the County, City, special district that provides solid waste collection services, or its designated entity Food Recovery Services and Food Recovery Organizations operating in the City shall provide information and consultation to the City, upon request, regarding existing, or proposed new or expanded, Food Recovery capacity that could be accessed by the City and its Commercial Edible Food Generators. A Food Recovery Service or Food Recovery Organization contacted by the City shall respond to such request for information within 60 days, unless a shorter timeframe is otherwise specified by the City.

5356. REQUIREMENTS FOR HAULERS, FACILITY OPERATORS, AND CITY DEPARTMENTS.

A. Requirements for Haulers

1. Haulers—providing Residential, Commercial, or Industrial Organic Waste collection services to generators within the City’s boundaries shall meet the following requirements and standards as a condition of approval of a contract, agreement, or authorization with the City to collect Organic Waste:

a. Through written notice to the City annually on or before June 30, identify the facilities to which they will transport Organic Waste including facilities for Source Separated Recyclable Materials, and Source Separated Green Container Organic Waste, and Mixed Waste for generators who have been granted a De Minimis Waiver.

b. Transport Source Separated Recyclable Materials or Source Separated Green Container Organic Waste, and Mixed Waste to a facility, operation, activity, or property that recovers Organic Waste as defined in 14 CCR, Division 7, Chapter 12, Article 2.

c. Obtain approval from the City to haul Organic Waste, unless it is transporting Source Separated Organic Waste to a Community Composting site or lawfully transporting construction and demolition debris in a manner that complies with 14 CCR Section 18989.1, Section 13 of this ordinance, and the City’s construction and demolition program.

2. Haulers authorized to collect Organic Waste shall comply with education, equipment, signage, container labeling, container color, contamination monitoring, reporting, and other requirements contained within its permit or other agreement entered into with the City.

3. Haulers authorized to collect Organic Waste shall serve as a direct service provider for the purpose of the City meeting its annual recovered organic waste procurement target and procure the products and quantities necessary for the City to meet its annual recovered organic waste procurement target under 14 CCR §§ 18993.1-18993.2 at no cost to the City.

B. Requirements for Facility Operators and Community Composting Operations

1. Owners of facilities, operations, and activities that recover Organic Waste, including, but not limited to, Compost facilities, in-vessel digestion facilities, and publicly-owned treatment works shall, upon the City’s request, provide information regarding available and potential new or expanded capacity at their facilities, operations, and activities, including information about throughput and permitted capacity necessary for planning purposes. Entities contacted by the City shall respond within 60 days.

2. Community composting operators, upon the City’s request, shall provide information to the City to support Organic Waste capacity planning, including, but not limited to, an estimate of the amount of Organic Waste anticipated to be handled at the Community Composting operation. Entities contacted by the City shall respond within 60 days.

C. Requirements for City Departments

1. If fitness and quality are equal, the City shall procure Recycled-Content Paper Products and Recycled-Content Printing and Writing Paper that consist of at least 30 percent, by fiber weight, postconsumer fiber instead of non-recycled products whenever recycled Paper Products and Printing and Writing Paper are available at the same or lesser total cost than non-recycled items.

5357. SELF-HAULER REQUIREMENTS.

A. Self-Haulers shall source separate all recyclable materials and Organic Waste generated on-site from Solid Waste in a manner consistent with 14 CCR §§ 18984.1 and 18984.2, or shall haul Organic Waste to a High Diversion Organic Waste Processing Facility as specified in 14 CCR Section 1894.3.

B. Self-Haulers shall haul their Source Separated Recyclable Materials to a facility that recovers those materials; and haul their Source Separated Green Container Organic Waste to a Solid Waste facility, operation, activity, or property that processes or recovers Source Separated Organic Waste. Alternatively, Self-Haulers may haul Organic Waste to a High Diversion Organic Waste Processing Facility.

C. Self-Haulers that are Commercial Businesses (including Multi-Family Residential Dwellings) shall keep a record of the amount of Organic Waste delivered to each Solid Waste facility, operation, activity, or property that processes or recovers Organic Waste; this record shall be subject to Inspection by the City. The records shall include the following information:

1. Delivery receipts and weight tickets from the entity accepting the waste.
2. The amount of material in cubic yards or tons transported by the generator to each entity.
3. If the material is transported to an entity that does not have scales on-site, or employs scales incapable of weighing the Self-Hauler's vehicle in a manner that allows it to determine the weight of materials received, the Self-Hauler is not required to record the weight of material but shall keep a record of the entities that received the Organic Waste.

D. Self-Haulers that are Commercial Businesses (including Multi-Family Self-Haulers) shall provide information collected pursuant to Section 5358(C) to the City if requested.

E. A residential Organic Waste Generator that self-hauls Organic Waste is not required to record information in Section 5358(C) or report information in Section 5358(D).

F. Self-Haulers, including those hauling construction demolition, must obtain a permit from the City prior to undertaking any self-hauling activities. Any applicant issued a Self-Hauler permit for Source Separated Recycle Materials, Construction Demolition, and/or Organic Waste found to be in violation of this ordinance, upon issuance of a first Notice of Violation, at the discretion of the Public Works Director or their designee, will have the Self-Haul permit revoked and will be required to subscribe to solid waste and recycling services from the City's waste hauler within five (5) days of the issuance of the Notice of Violation. Failure to subscribe to solid waste and recycling services will result in penalties prescribed in the ENFORCEMENT Section of this Part.

5358. INSPECTIONS AND INVESTIGATIONS.

A. City representatives and/or its designated entity, including Designees are authorized to conduct Inspections and Investigations, at random or otherwise, of any collection container, collection vehicle loads, or transfer, processing, or disposal facility for materials collected from generators, or Source Separated materials to confirm compliance with this chapter by Organic Waste Generators, Commercial Businesses (including Multi-Family Residential Dwellings), property owners, Commercial Edible Food Generators, Self-Haulers, hauler, Food Recovery Services, and Food Recovery Organizations, subject to applicable laws. This Section does not permit the City to enter the interior of a private residential property for Inspection. For the purposes of inspecting Commercial Business containers for compliance with Section 5352, the City may conduct container Inspections for Prohibited Container Contaminants using Remote Monitoring, and Commercial Businesses shall accommodate and cooperate with the Remote Monitoring pursuant to Section 5352.

B. The generators shall provide or arrange for access during all Inspections (with the exception of residential property interiors) and shall cooperate with the City's employee or its designated entity/Designee during such Inspections and investigations. Such Inspections and investigations may include confirmation of proper placement of materials in containers, Edible Food Recovery activities, records, or any other requirement of this Part described herein. Failure to provide or arrange for: (i) access to an entity's premises; (ii) installation and operation of Remote Monitoring equipment; or (iii) access to records for any Inspection or investigation is a violation of this Part and may result in penalties described in Section 5359.

C. Any records obtained by the City during its Inspections, Remote Monitoring, and other reviews shall be subject to the requirements and applicable disclosure exemptions of the Public Records Act as set forth in Government Code Section 6250 et seq.

D. City representatives, its designated entity, and/or Designee are authorized to conduct any Inspections, Remote Monitoring, or other Investigations as reasonably necessary to further the goals of this chapter, subject to applicable laws.

E. The City shall receive written complaints from persons regarding an entity that may be potentially non-compliant with SB 1383 Regulations, including receipt of anonymous complaints.

5359. ENFORCEMENT.

A. In response to violations of this Part, the City may avail itself of any legal remedy, including Administrative Citation (Sections 4900, et seq.), infraction or misdemeanor prosecution, or civil action. Regardless of the remedy utilized, the amounts of the fines or assessments for such violations shall be the greater of: (i) the maximum amounts allowed by applicable State law and regulations for such specific violations, or (ii) the maximum amounts allowed by State law for infractions; with such amounts to include enhancements for multiple violations within the same calendar year.

B. Responsible Entity for Enforcement

- i. Enforcement pursuant to this Part may be undertaken by the City Enforcement Official, which may be the City Manager, Public Works Director or their Designee, legal counsel, or combination thereof.
- ii. Enforcement may also be undertaken by a Regional or County Agency Enforcement Official, designated by the City, in consultation with the City Enforcement Official.

C. Process for Enforcement

- i. The City Enforcement Official and/or his or her Designee will monitor compliance with this Part randomly through complaints, route reviews, and an Inspection Program.
- ii. The City may issue an official notification to notify generators of its obligations under this Part.
- iii. For incidences of Prohibited Container Contaminants found in containers, the City will issue a Notice of Violation to any Generator found to have Prohibited Container Contaminants in a container. Such notice will be provided via a cart tag, a tag at the premises' door or gate, or other written or electronic communication immediately upon identification of the Prohibited Container Contaminants or within three days after determining that a violation has occurred. If the City observes Prohibited Container Contaminants in the generator's containers on more than one (1) occasion(s), within every calendar year starting January 1, the City may assess an administrative fine or penalty, contamination processing fees or contamination penalties on the generator pursuant to Section 5359(E)(i). In addition to the City-assessed penalties, the City's solid waste hauler may assess a contamination processing fee for each instance of Prohibited Container Contaminants pursuant to the City's solid waste hauler agreement.
- iv. With the exception of violations of generator contamination of container contents addressed under Section 5359(D)(1), the City shall issue a Notice of Violation requiring compliance within 30 days of issuance of the notice.
- v. Absent compliance by the respondent within the deadline set forth in the Notice of Violation, the City shall commence an action to impose penalties.

Notices shall be sent to "owner" at the official address of the owner maintained by the tax collector for the City or if no such address is available, to the owner at the address of the dwelling or Commercial property or to the party responsible for paying for the collection services,

depending upon available information.

D. Compliance Deadline Extension Considerations.

The City may extend the compliance deadlines set forth in a Notice of Violation issued if it finds that there are extenuating circumstances beyond the control of the respondent that make compliance within the deadlines impracticable, including the following:

1. Acts of God such as earthquakes, wildfires, flooding, and other emergencies or natural disasters;
2. Delays in obtaining discretionary permits or other government agency approvals; or
3. Deficiencies in Organic Waste recycling infrastructure or Edible Food Recovery capacity and the City is under a corrective action plan with CalRecycle pursuant to 14 CCR Section 18996.2 due to those deficiencies.

E. Education Period for Non-Compliance.

Beginning January 1, 2022 and through December 31, 2023, the City will conduct Inspections, Remote Monitoring, Route Reviews or waste evaluations, and Compliance Reviews, depending upon the type of generators, to determine compliance, and if the City determines that Organic Waste Generator, Self-Hauler, Hauler, Tier One Commercial Edible Food Generator, Food Recovery Organization, Food Recovery Service, or other entity is not in compliance, it shall provide educational materials to the entity describing its obligations under this Chapter and a notice that compliance is required by January 1, 2022, and that violations may be subject to administrative civil penalties starting on January 1, 2024.

F. Commencement of Actions for Non-Compliance.

Beginning January 1, 2024, if the City determines that an Organic Waste Generator, Self-Hauler, Hauler, Tier One or Tier Two Commercial Edible Food Generator, Food Recovery Organization, Food Recovery Service, or other entity is not in compliance with this chapter, it shall document the noncompliance or violation, issue a Notice of Violation, and take Enforcement Action pursuant to this Part.

D I V I D E R S H E E T

Routine Items

Routine Item 1 – City Council Minutes
will be available prior to the meeting.

DIVIDER SHEET

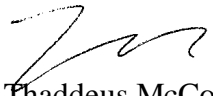
COUNCIL AGENDA

October 12, 2021

TO: The Honorable Mayor and City Council

SUBJECT: Report of Personnel Transactions

<u>Name</u>	<u>Title</u>	<u>Schedule</u>	<u>Effective Date</u>
1. FULL-TIME EMPLOYEES			
A. Appointments			
None			
B. Changes			
None			
C. Separations			
None			
2. PART-TIME EMPLOYEES			
A. Appointments			
None			
B. Changes			
None			
C. Separations			
Denise Kiss	DASH Transportation Driver II	B	09/22/2021
Diann Krause	Support Services Clerk III	B	09/30/2021
Mary Peck	Community Services Leader III	B	08/27/2021


Thaddeus McCormack
City Manager

D I V I D E R S H E E T

**CITY OF LAKEWOOD
FUND SUMMARY 9/30/2021**

In accordance with section 2521 of the Lakewood Municipal Code there is presented herewith a summary of obligations to be paid by voucher 103754 through 103861. Each of the following demands has been audited by the Director of Administrative Services and approved by the City Manager.

1010	GENERAL FUND	182,375.06
1030	CDBG CURRENT YEAR	2,874.98
1500	MISC-SPECIAL REVENUE FUND	32,052.95
3070	PROPOSITION "C"	220.00
5010	GRAPHICS AND COPY CENTER	2,205.70
5020	CENTRAL STORES	2,602.70
5030	FLEET MAINTENANCE	10,938.11
7500	WATER UTILITY FUND	76,425.50
8020	LOCAL REHAB LOAN	3,389.70
		<hr/>
		313,084.70

Council Approval

Date

City Manager

Attest

City Clerk

Director of Administrative Services

CITY OF LAKEWOOD SUMMARY CHECK REGISTER

CHECK #	CHECK DATE	VEND #	VENDOR NAME	GROSS	DISC.	CHECK AMOUNT
103754			VOID			
103755			VOID			
103756	09/30/2021	5518	MNRO HOLDINGS, LLC	1,460.60	0.00	1,460.60
103757	09/30/2021	1700	ALLIED REFRIGERATION INC	124.13	0.00	124.13
103758	09/30/2021	4684	AMAZON.COM LLC	1,000.40	0.00	1,000.40
103759	09/30/2021	1757	ANIMAL PEST MANAGEMENT SERVICES, INC	250.00	0.00	250.00
103760	09/30/2021	35016	ASSOCIATED SOILS ENGINEERING INC	1,720.00	0.00	1,720.00
103761	09/30/2021	4126	AUTOZONE PARTS INC	240.68	0.00	240.68
103762	09/30/2021	4878	B.R. BREWER SIGN & GRAPHICS	1,552.32	0.00	1,552.32
103763	09/30/2021	59969	BAKERSFIELD WELL & PUMP CO	11,729.00	0.00	11,729.00
103764	09/30/2021	39123	BACKFLOW APPARATUS & VALUE COMPANY	188.53	0.00	188.53
103765	09/30/2021	5184	BEGINNERS EDGE SPORTS TRAINING, LLC	5,096.00	0.00	5,096.00
103766	09/30/2021	5112	BELLFLOWER AUTOMOTIVE HECTOR	150.00	0.00	150.00
103767	09/30/2021	62737	BOYES, GOBIND	85.80	0.00	85.80
103768	09/30/2021	1935	BREA, CITY OF	39,001.50	0.00	39,001.50
103769	09/30/2021	5280	BROWN, BONNIE	245.05	0.00	245.05
103770	09/30/2021	48469	BURWELL MICHAEL RAY	335.00	0.00	335.00
103771	09/30/2021	5528	SEMA, INC.	1,213.86	0.00	1,213.86
103772	09/30/2021	7500	CENTRAL BASIN MUNICIPAL WATER	1,800.00	0.00	1,800.00
103773	09/30/2021	45894	CINTAS CORPORATION	70.03	0.00	70.03
103774	09/30/2021	5523	COLE, KODE	650.00	0.00	650.00
103775	09/30/2021	5008	COLOR CARD ADMINISTRATOR CORP.	37.54	0.00	37.54
103776	09/30/2021	53451	COMMUNITY FAMILY GUIDANCE CTR	791.66	0.00	791.66
103777	09/30/2021	5586	TED W. PAGE ENTERPRISES, INC.	3,172.00	0.00	3,172.00
103778	09/30/2021	42699	CROFT, STEVE	138.04	0.00	138.04
103779	09/30/2021	4498	DELTA DENTAL INSURANCE COMPANY	900.45	0.00	900.45
103780	09/30/2021	56889	DELTA DENTAL OF CALIFORNIA	7,833.80	0.00	7,833.80
103781	09/30/2021	4680	DIAZ, ISABELLE	400.00	0.00	400.00
103782	09/30/2021	3213	DIRECTV INC	35.00	0.00	35.00
103783	09/30/2021	5590	EPIC SOLUTIONS WORLDWIDE, LLC	3,029.77	0.00	3,029.77
103784	09/30/2021	4435	ELLIOTT AUTO SUPPLY COMPANY INC	48.84	0.00	48.84
103785	09/30/2021	3946	FERGUSON ENTERPRISES INC	3,060.53	0.00	3,060.53
103786	09/30/2021	63519	FLUE STEAM INC	85.47	0.00	85.47
103787	09/30/2021	5116	FUN EXPRESS LLC	49.49	0.00	49.49
103788	09/30/2021	59433	GANAHL LUMBER COMPANY	63.32	0.00	63.32
103789	09/30/2021	4422	GARIBALDO'S NURSERY	348.94	0.00	348.94
103790	09/30/2021	34845	GLASBY MAINTENANCE SUPPLY CO	154.39	0.00	154.39
103791	09/30/2021	2551	GOV'T FINANCE OFFICERS ASSOC	150.00	0.00	150.00
103792	09/30/2021	33150	GRAINGER W W INC	28.33	0.00	28.33
103793	09/30/2021	49520	HINDERLITER DE LLAMAS & ASSOC	300.00	0.00	300.00
103794	09/30/2021	42031	HOME DEPOT	2,144.73	0.00	2,144.73
103795	09/30/2021	65891	HUMAN SERVICES ASSOCIATION	708.33	0.00	708.33
103796	09/30/2021	4622	JHM SUPPLY INC	197.29	0.00	197.29
103797	09/30/2021	4180	JONES RICHARD D. A PROF LAW CORP	16,750.00	0.00	16,750.00

CITY OF LAKEWOOD SUMMARY CHECK REGISTER

CHECK #	CHECK DATE	VEND #	VENDOR NAME	GROSS	DISC.	CHECK AMOUNT
103798	09/30/2021	36167	KARTER, JANET	468.00	0.00	468.00
103799	09/30/2021	2956	KICK IT UP KIDZ, LLC	386.75	0.00	386.75
103800	09/30/2021	66412	KWIK-COVERS	1,020.90	0.00	1,020.90
103801	09/30/2021	53311	LAKEWOOD MEALS ON WHEELS	833.33	0.00	833.33
103802	09/30/2021	41075	LERN	395.00	0.00	395.00
103803	09/30/2021	3564	LONG BEACH, CITY OF	1,620.87	0.00	1,620.87
103804	09/30/2021	21300	LOS ANGELES CO FIRE DEPT	5,159.00	0.00	5,159.00
103805	09/30/2021	36844	LA COUNTY DEPT OF PUBLIC WORKS	1,613.99	0.00	1,613.99
103806	09/30/2021	58414	MANAGED HEALTH NETWORK	367.84	0.00	367.84
103807	09/30/2021	66339	MC ENROE, BARBARA	403.00	0.00	403.00
103808	09/30/2021	5525	MICHAEL BAKER INTERNATIONAL, INC.	32,052.95	0.00	32,052.95
103809	09/30/2021	5547	MURRAYSMITH, INC.	4,284.00	0.00	4,284.00
103810	09/30/2021	4190	NATIONAL UNION FIRE INSURANCE CO	516.20	0.00	516.20
103811	09/30/2021	5134	NORRIS, RICHARD	3,696.00	0.00	3,696.00
103812	09/30/2021	5535	NSWC MECHANICAL SERVICE, LLC	26,837.50	0.00	26,837.50
103813	09/30/2021	4443	O'REILLY AUTOMOTIVE STORES INC	1,028.85	0.00	1,028.85
103814	09/30/2021	47554	OFFICE DEPOT BUSINESS SVCS	294.05	0.00	294.05
103815	09/30/2021	465	ONTIVEROS, FRANK	84.66	0.00	84.66
103816	09/30/2021	4909	ORANGE CO CIRCUIT BREAKERS, INC.	145.46	0.00	145.46
103817	09/30/2021	50512	PATHWAYS VOLUNTEER HOSPICE	666.66	0.00	666.66
103818	09/30/2021	5532	CHEN, PATRICIA P.C.	1,275.00	0.00	1,275.00
103819	09/30/2021	66304	PE, ARIEL	272.60	0.00	272.60
103820	09/30/2021	3888	UAG CERRITOS I, LLC	199.49	0.00	199.49
103821	09/30/2021	3888	UAG CERRITOS I, LLC	225.59	0.00	225.59
103822	09/30/2021	1919	POLLARD JOSEPH G COMPANY INC	16.53	0.00	16.53
103823	09/30/2021	39640	RAYVERN LIGHTING SUPPLY CO INC	138.72	0.00	138.72
103824	09/30/2021	47141	STEARNS CONRAD & SCHMIDT CONSLT ENG	11,684.00	0.00	11,684.00
103825			VOID			
103826	09/30/2021	59218	SIERRA INSTALLATIONS INC	5,775.00	0.00	5,775.00
103827	09/30/2021	5197	SIGNAL HILL AUTO ENTERPRISES INC.	206.06	0.00	206.06
103828	09/30/2021	26900	SO CALIF SECURITY CENTERS INC	19.85	0.00	19.85
103829	09/30/2021	29400	SOUTHERN CALIFORNIA EDISON CO	47,650.28	0.00	47,650.28
103830	09/30/2021	1737	SOUTHERN COUNTIES LUBRICANTS	1,243.05	0.00	1,243.05
103831	09/30/2021	4201	AUDIO MESSAGING SOLUTIONS LLC	330.87	0.00	330.87
103832	09/30/2021	49529	SPICERS PAPER INC	418.71	0.00	418.71
103833	09/30/2021	37930	STANDARD INSURANCE CO UNIT 22	2,381.60	0.00	2,381.60
103834	09/30/2021	37930	STANDARD INSURANCE CO UNIT 22	9,486.53	0.00	9,486.53
103835	09/30/2021	60792	STEPHENS, ERIC	1,298.70	0.00	1,298.70
103836	09/30/2021	61237	STUCKEY, VICKI	139.20	0.00	139.20
103837	09/30/2021	5529	SUMMIT ENVIROSOLUTIONS, INC.	2,400.00	0.00	2,400.00
103838	09/30/2021	4893	TENG, WHEA-FUN	140.80	0.00	140.80
103839	09/30/2021	5350	THE HITT COMPANIES	38.26	0.00	38.26
103840	09/30/2021	5278	THE TECHNOLOGY DEPOT	283.28	0.00	283.28
103841	09/30/2021	4069	TRAFFIC MANAGEMENT, INC	2,600.00	0.00	2,600.00

CITY OF LAKEWOOD SUMMARY CHECK REGISTER

CHECK #	CHECK DATE	VEND #	VENDOR NAME	GROSS	DISC.	CHECK AMOUNT
103842	09/30/2021	4873	TRANSAMERICA LIFE INSURANCE COMPANY	1,590.40	0.00	1,590.40
103843	09/30/2021	65224	TUMBLE-N-KIDS. INC	10,437.70	0.00	10,437.70
103844	09/30/2021	60685	TURF STAR	1,000.98	0.00	1,000.98
103845	09/30/2021	5284	UNIFIRST CORPORATION	27.23	0.00	27.23
103846	09/30/2021	4718	UNITED WATER WORKS INC	963.88	0.00	963.88
103847	09/30/2021	4907	VARSITY BRANDS HOLDING CO INC	304.30	0.00	304.30
103848	09/30/2021	57135	VISION SERVICE PLAN	4,441.40	0.00	4,441.40
103849	09/30/2021	5560	WAMBA. DIANE B.	273.00	0.00	273.00
103850	09/30/2021	3943	WATERLINE TECHNOLOGIES INC	748.21	0.00	748.21
103851	09/30/2021	17640	WAXIE ENTERPRISES INC	1,909.62	0.00	1,909.62
103852	09/30/2021	4501	WEST COAST SAND AND GRAVEL. INC.	1,051.80	0.00	1,051.80
103853	09/30/2021	4837	XEROX CORPORATION	573.13	0.00	573.13
103854	09/30/2021	3699	AVA INC.	244.12	0.00	244.12
103855	09/30/2021	3699	KING. ELIZABETH	250.00	0.00	250.00
103856	09/30/2021	3699	SENECA CONSTRUCTION	3,389.70	0.00	3,389.70
103857	09/30/2021	3699	SOMATDARY INCORPORATED	18.16	0.00	18.16
103858	09/30/2021	3699	TESLA ENERGY OPERATIONS	199.28	0.00	199.28
103859	09/30/2021	2701	AIRE RITE A/C & REFRIGERATION INC	6,364.96	0.00	6,364.96
103860	09/30/2021	5314	ALESHIRE & WYNDER LLP	1,196.00	0.00	1,196.00
103861	09/30/2021	5379	SERVICEWEAR APPAREL INC.	660.88	0.00	660.88
Totals:				<u>313,084.70</u>	<u>0.00</u>	<u>313,084.70</u>

**CITY OF LAKEWOOD
SUMMARY ACH/WIRE REGISTER SEP 2021**

ACH date	Amount	Recipient	Purpose	Period
9/8/21	\$104,062.81	IRS via F&M	Fed taxes	Aug 22-Sep 4, 2021
9/9/21	\$3,530.00	F&A Fed C/U	employee savings account	Aug 22-Sep 4, 2021
9/9/21	\$6,422.00	Southland C/U	employee savings account	Aug 22-Sep 4, 2021
9/9/21	\$28,873.01	EDD	State taxes	Aug 22-Sep 4, 2021
9/9/21	\$3,482.10	MidAmerica	ARS aka APPLE	Aug 22-Sep 4, 2021
9/9/21	\$11,835.25	VOYA	VOYA 401(a)	Aug 22-Sep 4, 2021
9/9/21	\$3,425.00	PARS via U.S. Bank	excess stackable plan	Aug 22-Sep 4, 2021
9/9/21	\$5,397.10	PARS via U.S. Bank	stackable plan	Aug 22-Sep 4, 2021
9/9/21	\$27,437.70	VOYA	VOYA 457 & ROTH	Aug 22-Sep 4, 2021
9/10/21	\$108,959.46	CalPERS	PERS contribution	Aug 22-Sep 4, 2021
9/21/21	\$24,353.30	MidAmerica	HRA aka CEMRB	Sep 2021
9/22/21	\$106,248.49	IRS via F&M	Fed taxes	Sep 5-18, 2021
9/23/21	\$3,530.00	F&A Fed C/U	employee savings account	Sep 5-18, 2021
9/23/21	\$6,422.00	Southland C/U	employee savings account	Sep 5-18, 2021
9/23/21	\$29,878.29	EDD	State taxes	Sep 5-18, 2021
9/24/21	\$3,113.19	MidAmerica	ARS aka APPLE	Sep 5-18, 2021
9/24/21	\$17,554.66	VOYA	VOYA 401(a)	Sep 5-18, 2021
9/24/21	\$9,088.03	PARS via U.S. Bank	stackable plan	Sep 5-18, 2021
9/24/21	\$27,017.70	VOYA	VOYA 457 & ROTH	Sep 5-18, 2021
9/24/21	\$59,984.26	City Light & Power	monthly maint fee	Sep 2021
9/28/21	\$107,677.28	CalPERS	PERS Health	Oct 2021
9/28/21	\$111,207.93	CalPERS	PERS contribution	Sep 5-18, 2021

Council Approval

Date

City Manager

Attest:

City Clerk

Director of Finance & Administrative Services

**CITY OF LAKEWOOD
FUND SUMMARY 10/7/2021**

In accordance with section 2521 of the Lakewood Municipal Code there is presented herewith a summary of obligations to be paid by voucher 103862 through 103944. Each of the following demands has been audited by the Director of Administrative Services and approved by the City Manager.

1010	GENERAL FUND	165,736.96
1020	CABLE TV	494.97
1030	CDBG CURRENT YEAR	5.51
1050	COMMUNITY FACILITY	377.19
3070	PROPOSITION "C"	119.98
5010	GRAPHICS AND COPY CENTER	621.87
5020	CENTRAL STORES	3,472.09
5030	FLEET MAINTENANCE	8,324.44
6020	GEOGRAPHIC INFORMATION SYSTEM	57.88
7500	WATER UTILITY FUND	39,207.79
8020	LOCAL REHAB LOAN	6,610.00
8030	TRUST DEPOSIT	100.00
		<hr/>
		225,128.68

Council Approval

Date

City Manager

Attest

City Clerk

Director of Administrative Services

CITY OF LAKEWOOD SUMMARY CHECK REGISTER

CHECK #	CHECK DATE	VEND #	VENDOR NAME	GROSS	DISC.	CHECK AMOUNT
103862	10/07/2021	4842	A T & T CORP	297.35	0.00	297.35
103863	10/07/2021	5179	ALS GROUP USA. CORP.	1,890.00	0.00	1,890.00
103864	10/07/2021	4684	AMAZON.COM LLC	3,100.60	0.00	3,100.60
103865	10/07/2021	58000	AMERICAN TRUCK & TOOL RENTAL INC	223.87	0.00	223.87
103866	10/07/2021	4564	ARAMARK UNIFORM&CAREER APPAREL GRP	62.80	0.00	62.80
103867	10/07/2021	38532	AREA E CIVIL DEFENSE &	7,847.00	0.00	7,847.00
103868	10/07/2021	4465	ATALLA. IBRAHIM	136.50	0.00	136.50
103869	10/07/2021	5322	N. HARRIS COMPUTER CORPORATION	23,095.80	0.00	23,095.80
103870	10/07/2021	5266	BAY AREA DRIVING SCHOOL. INC.	50.70	0.00	50.70
103871	10/07/2021	5292	BECKER & ASSOCIATES. INC.	912.47	0.00	912.47
103872	10/07/2021	66044	BENNETT-BOWEN & LIGHTHOUSE INC	267.67	0.00	267.67
103873	10/07/2021	1813	BIOMETRICS4ALL INC	4.50	0.00	4.50
103874	10/07/2021	4800	BISHOP COMPANY	499.33	0.00	499.33
103875	10/07/2021	48469	BURWELL MICHAEL RAY	95.00	0.00	95.00
103876	10/07/2021	45894	CINTAS CORPORATION	60.53	0.00	60.53
103877	10/07/2021	5376	CONSERVATION CORPS OF LONG BEACH	5,824.00	0.00	5,824.00
103878	10/07/2021	4776	CORELOGIC. INC.	16.50	0.00	16.50
103879	10/07/2021	5540	DE LAGE LANDEN FINANCIAL SERVICES	394.81	0.00	394.81
103880	10/07/2021	5169	DY. DERWIN	154.40	0.00	154.40
103881	10/07/2021	4435	ELLIOTT AUTO SUPPLY COMPANY INC	97.91	0.00	97.91
103882	10/07/2021	52316	FEDERAL EXPRESS CORP	33.69	0.00	33.69
103883	10/07/2021	5575	RACOOSIN. BILL	264.97	0.00	264.97
103884	10/07/2021	4884	FRONTIER CALIFORNIA INC.	2,742.13	0.00	2,742.13
103885	10/07/2021	38311	H & H NURSERY	5.46	0.00	5.46
103886	10/07/2021	58838	HANSON AGGREGATES LLC	185.00	0.00	185.00
103887	10/07/2021	35477	HARA M LAWNMOWER CENTER	413.91	0.00	413.91
103888	10/07/2021	65593	HASS. BARBARA	676.00	0.00	676.00
103889	10/07/2021	42031	HOME DEPOT	200.31	0.00	200.31
103890	10/07/2021	5558	INTERIOR DEMOLITION. INC	23,750.00	0.00	23,750.00
103891	10/07/2021	5144	ISES CORPORATION	4,975.00	0.00	4,975.00
103892	10/07/2021	4622	JHM SUPPLY INC	1,989.02	0.00	1,989.02
103893	10/07/2021	18550	LAKEWOOD. CITY OF	100.00	0.00	100.00
103894	10/07/2021	20300	LONG BEACH CITY GAS & WATER DEPT	641.71	0.00	641.71
103895	10/07/2021	45069	LOS ANGELES CO/DEPT PW BLDG SVCS	30,965.60	0.00	30,965.60
103896	10/07/2021	36844	LA COUNTY DEPT OF PUBLIC WORKS	13,835.70	0.00	13,835.70
103897	10/07/2021	23130	MC MASTER-CARR SUPPLY CO	218.45	0.00	218.45
103898	10/07/2021	57391	MINI COACH INC	2,400.00	0.00	2,400.00
103899	10/07/2021	4892	NESTLE WATERS NORTH AMERICA	149.13	0.00	149.13
103900	10/07/2021	4443	O'REILLY AUTOMOTIVE STORES INC	1,219.40	0.00	1,219.40
103901	10/07/2021	47414	O'NEAL. DINK	80.00	0.00	80.00
103902	10/07/2021	5203	OC VACUUM INC.	1,061.50	0.00	1,061.50
103903	10/07/2021	47554	OFFICE DEPOT BUSINESS SVCS	657.11	0.00	657.11
103904	10/07/2021	5136	OPUS INSPECTION. INC.	1,405.69	0.00	1,405.69
103905	10/07/2021	4760	PUN GROUP. THE LLP	15,000.00	0.00	15,000.00

CITY OF LAKEWOOD SUMMARY CHECK REGISTER

CHECK #	CHECK DATE	VEND #	VENDOR NAME	GROSS	DISC.	CHECK AMOUNT
103906	10/07/2021	2698	HYDRAULIC SYSTEMS & COMPONENTS INC	395.88	0.00	395.88
103907	10/07/2021	45437	S & J SUPPLY CO	7,051.26	0.00	7,051.26
103908	10/07/2021	66280	BARRY SANDLER ENTERPRISES	136.50	0.00	136.50
103909	10/07/2021	5036	SFG RETIREMENT PLAN CONSULTING LLC	2,400.00	0.00	2,400.00
103910	10/07/2021	5044	SHARP ELECTRONICS CORPORATION	227.06	0.00	227.06
103911	10/07/2021	5197	SIGNAL HILL AUTO ENTERPRISES INC.	496.13	0.00	496.13
103912	10/07/2021	5230	SITEONE LANDSCAPE SUPPLY. LLC	3,499.88	0.00	3,499.88
103913	10/07/2021	5022	MWB COPY PRODUCTS. INC.	115.76	0.00	115.76
103914	10/07/2021	36658	SOUTH COAST A.O.M.D.	1,438.18	0.00	1,438.18
103915	10/07/2021	36658	SOUTH COAST A.O.M.D.	667.34	0.00	667.34
103916	10/07/2021	29400	SOUTHERN CALIFORNIA EDISON CO	682.08	0.00	682.08
103917	10/07/2021	3755	SPECTRA SYSTEMS INC	1,650.00	0.00	1,650.00
103918	10/07/2021	4972	CHARTER COMMUNICATIONS HOLDINGS. LLC	4,213.52	0.00	4,213.52
103919	10/07/2021	55947	STOVER SEED COMPANY	4,352.63	0.00	4,352.63
103920	10/07/2021	4212	SYN-TECH SYSTEMS INC	348.52	0.00	348.52
103921	10/07/2021	4893	TENG. WHEA-FUN	149.60	0.00	149.60
103922	10/07/2021	5278	THE TECHNOLOGY DEPOT	1,188.25	0.00	1,188.25
103923	10/07/2021	65224	TUMBLE-N-KIDS. INC	4,732.00	0.00	4,732.00
103924	10/07/2021	35089	UNDERGROUND SERVICE ALERT	265.75	0.00	265.75
103925	10/07/2021	5284	UNIFIRST CORPORATION	27.23	0.00	27.23
103926	10/07/2021	5395	USPS-POC	25,000.00	0.00	25,000.00
103927	10/07/2021	5574	UV SUPERSTORE. INC.	999.98	0.00	999.98
103928	10/07/2021	5592	VOORHEES. RONDA	307.45	0.00	307.45
103929	10/07/2021	17640	WAXIE ENTERPRISES INC	1,350.02	0.00	1,350.02
103930	10/07/2021	62628	WELLS C. PIPELINE MATERIALS	546.29	0.00	546.29
103931	10/07/2021	62628	WELLS C. PIPELINE MATERIALS	2,410.62	0.00	2,410.62
103932	10/07/2021	4501	WEST COAST SAND AND GRAVEL. INC.	848.40	0.00	848.40
103933	10/07/2021	37745	WESTERN EXTERMINATOR CO	282.45	0.00	282.45
103934	10/07/2021	35146	WILLDAN ASSOCIATES	2,667.00	0.00	2,667.00
103935	10/07/2021	59563	WOOD. JEFF	141.52	0.00	141.52
103936	10/07/2021	3699	AFFORDABLE BUILT CONSTRUCTION	4,210.00	0.00	4,210.00
103937	10/07/2021	3699	ATTICARE CONSTRUCTION	2,400.00	0.00	2,400.00
103938	10/07/2021	3699	BETANCOURT. MARTINA	48.00	0.00	48.00
103939	10/07/2021	3699	LOSIER. JARED	250.00	0.00	250.00
103940	10/07/2021	3699	LOVE. CASEY	94.81	0.00	94.81
103941	10/07/2021	3699	MILLAN. CHRISTIAN SENENSE	43.00	0.00	43.00
103942	10/07/2021	3699	MORALES. GUADALUPE	40.00	0.00	40.00
103943	10/07/2021	3699	ROBINSON ROOFING & CONSULTING	1,153.32	0.00	1,153.32
103944	10/07/2021	3699	TORRES. ELIAS	296.73	0.00	296.73
Totals:				<u>225,128.68</u>	<u>0.00</u>	<u>225,128.68</u>

D I V I D E R S H E E T

COUNCIL AGENDA

October 12, 2021

TO: The Honorable Mayor and City Council

SUBJECT: Report of City Council Committees' Activities

INTRODUCTION

A brief update is provided for City Council review on the activities of the following standing committees: Intergovernmental Relations Committee and Water Resources Committee.

STATEMENT OF FACT

On August 31, 2021, the Intergovernmental Relations Committee met and discussed:

Youth in Government Program

Staff from the city's Recreation and Community Services Department introduced the city's new Youth in Government program. Aligned with the Lakewood Teen Action Committee, the Youth in Government Program will be aimed at creating opportunities for high school students in Lakewood to gain an understanding of local government and representative democracy, as well as allowing them to contribute their ideas to provide a positive impact on the community. The program is anticipated to be diverse in its members, and will enhance and work in concert with similar programs offered by Assembly Member Rendon's Office, and the Lakewood Family YMCA.

The program is available to Lakewood residents in grades 10 through 12. As of August 30, 2021, applications were made available online, with an anticipated closing date of October 31, 2021.

Legislative Update

The Committee was advised that SB 9 passed with all of the city's State Representatives supporting the bill, which will now go to the Governor for signature. It was reported that SB 10 passed as well. Updated opposition letters will be prepared by staff regarding both bills.

Committee Chair Wood requested that staff look in to AB 1344, the safe needle exchange bill.

On September 21, 2021, the Water Resources Committee met and discussed:

Solar Panel Performance

- Staff provided a handout with a snapshot of funding sources, historical and current costs related to installation, operation and management of the existing solar panels. Also included were energy generated from the panels and corresponding estimated cost savings.

Water Supply and Water Rights Update

- Staff reported that water demand for both potable and recycled water for the month of August 2021 fell below that of the previous year.
- Staff met with the City of Downey staff to discuss the Annual Pumping Allocation issue that they, like Lakewood, are experiencing with the Water Replenishment District's (WRD) reporting.
- A Central Basin Water Rights Panel (CBWRP) Special Meeting will soon convene; the formation of an Ad Hoc Committee to address the issue is anticipated.
- Cerritos has requested to lease of 500 acre-feet in addition to the amount outlined in the agreement for FY 2022-2023.
- Golden State Water Company (GSWC) has sufficient resources and does not seek to lease water at this time.

Projects of Proposed Booster Stations at Interconnections

- Upgrade of the interconnection is estimated at +/- \$300,000; Cerritos does not have an updated hydraulic model and is not inclined to use their American Rescue Plan funds for such a project.
- Staff also informed the Committee of the City of Bellflower's ongoing issues related to the sale of its water system; staff will continue efforts in obtaining an interconnection with Bellflower Somerset Mutual Company.
- The Committee directed staff to continue efforts in obtaining long-term agreements and to look into flexibility on upfront costs of upgrades.

Amendment No. 1 for Bellflower Stormwater Capture Project Construction Support Services

- Staff reported that the City of Bellflower seeks to amend the current agreement regarding Lakewood's Construction Support Services of Bellflower's Stormwater Capture Project by extending the end date to wrap up final billing for Phase I, amounting to about \$10,000.
- The Committee approved to recommend that the City Council authorize the City Manager to execute the amendment.

Adjustment of Recycled Water Rates Proposed by City of Cerritos

- Because of the terms of the existing agreement, Recycled Water Rates increased by 10% for the period beginning July 1, 2021.
- Because the existing agreement is now out of alignment with Central Basin Municipal Water District (CB) rates - which are 17% lower than Cerritos' rates- Lakewood staff requested that the agreement be changed so that rates would mirror CB rates on a going forward basis. .
- The Committee directed staff to perform an analysis as it relates to Lakewood's recycled water rate once sufficient data is available. It then approved to recommend that the City Council authorize the City Manager to execute the amendment.

Utility Billing and Customer Service – Monthly Update

- Staff updated the Committee on the State's rent relief and State Water Board's COVID relief programs regarding available funds, eligibility and guidelines, and stated that funds awarded to participants are distributed directly to the utility.

- Staff provided program information via stand-alone letter to 94 tenants who have past due bills; program information was also included in the citywide e-magazine on September 10, 2021.
- The State Water Board scheduled meetings on September 21 and 22 to set parameters and guidelines of their program, staff expects receipt a few weeks thereafter and will follow the Committee's direction to monitor outcome and provide updates accordingly.
- Staff provided recent customer service call statistics and informed it had reached out to Utilitec to discuss ending the agreement for services.

Other Communications

- Staff updated the Committee on the status of GSWC's rate increase case, noting that the city submitted comment letters against the proposed rate increase and in support of our Lakewood residents who are serviced by GSWC.
- Formal settlement negotiations to begin Friday, September 24 with hearings scheduled for September 28 through the first week of October, where GSWC will plead its case to the Administrative Law Judge.
- Staff updated the Committee of ongoing Capital Improvement Program and preventive maintenance projects.
 - § Well #28 project still experiencing slight delays
 - § Well 15A Rehab received material quote three times higher than normal, staff looking into options of decreasing the price.
 - § Minor repairs are needed for two steel tanks onsite at the Arbor Yard
- The Committee directed staff to work with Public Information staff on publishing a news article emphasizing the importance of system flushing to minimize loss of water and maintain water quality.

RECOMMENDATION

It is recommended that the City Council receive and file this report.


Thaddeus McCormack
City Manager

DIVIDER SHEET

COUNCIL AGENDA

October 12, 2021

TO: The Honorable Mayor and City Council

SUBJECT: AB 1234 Meeting Report

INTRODUCTION

Assembly Bill 1234 became effective January 1, 2006. The legislation requires members of a legislative body to provide brief reports on the meetings they attended at the expense of the local agency at the next regular meeting of the legislative body.

STATEMENT OF FACT

- Mayor Wood, Vice Mayor Croft, and Council Members Rogers, Pe and Stuckey attended the California Joint Powers Insurance Authority's Risk Management Forum from October 6 – 8, 2021. The Council Members participated in several sessions that covered the following topics: homelessness, avoiding cyber-attacks, ethics, legal guidance for public officials and social media, liability case law update, workers compensation, leadership lessons, and defending police and fire litigation.

RECOMMENDATION

That the City Council receive and file this report.

Paolo Beltran 
Deputy City Manager


Thaddeus McCormack
City Manager

D I V I D E R S H E E T

COUNCIL AGENDA

October 12, 2021

TO: The Honorable Mayor and City Council

SUBJECT: Notice of Completion – Public Works Contract 21-02
Lakewood Equestrian Center Abatement and Demolition

INTRODUCTION

Interior Demolition Inc., the Contractor on Public Works Contract 21-02, has completed work which consisted of removal and disposal of asbestos containing materials (ACMs) and lead based paint materials (LBPMs) and complete demolition of miscellaneous structures at the Equestrian Center, including the old hay barn, the old office, the old outhouse/restroom and septic tank, the old mini-golf course office and greens, and the old caretaker residence.

STATEMENT OF FACT

On October 12, 2021 Council awarded Public Works Contract 2021-02 to Interior Demolition Inc. in the amount of \$105,530. Three change orders (COs) were negotiated throughout the construction period resulting in a final contract amount of \$122,085. The net additional amount to the contract was \$16,555. One change order was the result of additional abatement required of the caretaker house that was discovered during the abatement process. The second change order was adding the abatement and demolition of the pony time shed to the scope of work. The third change order was the result of additional abatement required at the pony time shed, which was also discovered during the abatement process.

The contract was substantially completed in October 2021. Interior Demolition Inc.'s staff has addressed most items on the project punch list, however there are minor pending items that staff is working with Interior Demolition Inc. to complete. Should they fail to complete any of the required items by the deadline, staff will determine the value of the work and withhold that amount from the retention. Staff recommends issuing the NOC.

RECOMMENDATION

It is the recommendation of Staff that the City Council:

- (1) Accept the work performed by Interior Demolition Inc. in a final contract amount of \$122,085, and authorize the City Clerk to file the Notice of Completion for Public Works Contract 2021-02.
- (2) Ratify Change Order Nos. 1-3 in the net additional amount of \$16,555 to Public Works Contract 2021-02.



Lisa Ann Rapp
Director of Public Works



Thaddeus McCormack
City Manager

D I V I D E R S H E E T

COUNCIL AGENDA

October 12, 2021

TO: Honorable Mayor and City Council

SUBJECT: Substitute Report for Amendment No. 2 for Agreement for Employment of City Manager

INTRODUCTION

Following an annual review of the performance of the City Manager, the City Council has determined that the City Manager has commendably and satisfactorily performed his duties, and that the City Manager is deserving of a modest salary increase in line with the increase provided other Lakewood city employees.

STATEMENT OF FACT

Since the beginning of his employment with the City, the City Manager has received the annual inflation-based cost-of-living-adjustment (COLA) that every City employee has received, but the City Manager has not received any step increase, which all other employees receive (within specified ranges) after receiving satisfactory job evaluations in a new position.

Based on the City Manager's commendable job evaluation, the City Council determined in its recent annual evaluation of the City Manager that the City Manager is deserving of a 5% increase in salary, which corresponds to the increase in salary that other city employees receive as a step increase.

This salary increase keeps the Lakewood City Manager salary within the middle range of salaries for other City Managers throughout California.

RECOMMENDATION

Based on the City Council's job evaluation of the City Manager and its salary guidance during that evaluation, that the City Council approve Amendment No. 2 for Agreement for Employment of City Manager.



Steven Skolnik
City Attorney

AMENDMENT NO. 2 TO
AGREEMENT FOR EMPLOYMENT
OF CITY MANAGER

THIS AMENDMENT TO AGREEMENT is made and entered into this 12th day of October, 2021, amending that certain “AGREEMENT FOR EMPLOYMENT OF CITY MANAGER” by and between the City of Lakewood, a California general law municipal corporation of the State of California (“Employer”), and Thaddeus J. McCormack (“Employee”), dated August 8, 2017, as previously amended in 2020 (the “Agreement”).

Recitals

- A. Following review of the performance of the City Manager, the City Council has determined that the City Manager has commendably and satisfactorily performed his duties during the evaluation period up to and including the date hereof.
- B. Based on such performance, the City Council finds and determines that the City Manager should receive those benefits set forth herein below.

Based on the Recitals set forth above, the parties hereby agree to amend the Agreement as follows:

- 1. Employee’s base salary, as previously modified by cost of living adjustments, shall be \$22,698.90 monthly, effective October 11, 2021.
- 2. In all other respects the Agreement shall remain in full force and effect. Intending to be legally bound, the parties have executed this Agreement, below, as of the date first written above.

CITY OF LAKEWOOD

Mayor

Thaddeus J. McCormack

Attest:

City Clerk

D I V I D E R S H E E T

Legislation

COUNCIL AGENDA

October 12, 2021

TO: The Honorable Mayor and City Council

SUBJECT: Proposed Ordinance Amending the Municipal Code Pertaining to Compensation of Members of the City Council and Resolution Relating to Compensation

INTRODUCTION

The proposed ordinance would amend the municipal code relating to the compensation of city council members.

STATEMENT OF FACTS


Section 2300.1 of the Lakewood Municipal Code provides that members of the City Council shall be compensated for their services in the sum of \$1,649 per month each, which shall be payable on the first day of the month during their term of office. Compensation for City Council Members was last fixed by Ordinance No. 2018-8, adopted on the 9th day of October, 2018, and operative following the General Municipal Election in March 2020.

Section 36516 of the California Government Code establishes compensation levels for City Council members based on the population of the city. Section 36516(c) allows for a 5% adjustment in salary of a council member for each calendar year from the operative date of the last salary adjustment. The adjustment is a straight percentage based calculation and the five percent increments cannot be compounded. The Government Code provides that a salary adjustment may only become effective upon the beginning of a new term of office of one or more of the members of the Council and Councils may only adjust their salaries once every two years.

The proposed ordinance adjusts the compensation for City Council Members by 2.25% to \$1,686 per month, however it only takes effect per Government Code Section 36516 unless and until one or more members of the City Council begins a new term of office following the adoption of the ordinance (after the next General Municipal Election in June 2022). The proposed resolution directs the City Manager to place this compensation item on future council agendas at the appropriate times for consideration.

RECOMMENDATION

Staff recommends that the City Council introduce the proposed ordinance and adopt the proposed resolution.


Thaddeus McCormack
City Manager

ORDINANCE NO. 2021-4

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
LAKEWOOD AMENDING THE MUNICIPAL CODE
PERTAINING TO COMPENSATION OF MEMBERS OF THE
CITY COUNCIL

THE CITY COUNCIL OF THE CITY OF LAKEWOOD DOES HEREBY ORDAIN AS
FOLLOWS:

SECTION 1. Section 2300.1 of Chapter 3 of Article II of the Lakewood Municipal Code pertaining to the compensation of members of the City Council is hereby amended to read as follows:

"2300.1. Same. Compensation for Services. City Council Members shall be compensated for their services to the City in the sum of \$1,686.00 per month each, which shall be a charge against the City and payable as other salaries on the first day of the month following the effective date of the ordinance adopting this section, and thereafter payable on the first day of each and every month during said term of office."

SECTION 2. In adopting this Ordinance, the City Council makes the following findings:

1. The operative date of the last adjustment of the compensation of members of the City Council was May 2020 and no adjustment has been made since that date.
2. Pursuant to Section 36516(c) of the Government Code of the State of California, compensation may be increased by an amount not to exceed five percent (5%) for each calendar year from said operative date. This ordinance increases the compensation by 2.25%, which results in the sum of \$1,686 for the calendar year 2022.

SECTION 3. Pursuant to Section 36516.5 of the Government Code of the State of California, the change in compensation herein specified from \$1,649 per month to \$1,686 per month shall not be operative, and said compensation of \$1,686 per month for each Council Member shall not commence unless and until one or more members of the City Council become eligible for this salary increase by virtue of beginning a new term of office following the adoption of this Ordinance. Until the provisions of this Ordinance become operative, the existing compensation set by Section 2300.1 of the Lakewood Municipal Code by Ordinance No. 2018-8 shall remain at \$1,649 per month. On the first day of the month following the operative date of this Ordinance, the compensation of each member of the City Council shall be \$1,686 and shall be paid on the first day of each and every month thereafter during said term of office, until said Ordinance is otherwise amended.

SECTION 4. The City Clerk shall certify to the adoption of this Ordinance. The City Council hereby finds and determines there are no newspapers of general circulation both published and circulated within the City and, in compliance with Section 36933 of the Government Code, directs the City Clerk to cause said ordinance within fifteen (15) days after its passage to be posted in at least three (3) public places within the City. This ordinance shall take effect thirty (30) days after its adoption.

ADOPTED AND APPROVED this _____ day of _____, 2021,
by the following roll call vote:

	AYES	NAYS	ABSENT
Council Member Croft	_____	_____	_____
Council Member Pe	_____	_____	_____
Council Member Rogers	_____	_____	_____
Council Member Stuckey	_____	_____	_____
Mayor Wood	_____	_____	_____

Mayor

ATTEST:

City Clerk

I, JO MAYBERRY, do hereby certify that I am the duly appointed and acting City Clerk of the City of Lakewood, and the foregoing ordinance was adopted and approved by the City Council of the City of Lakewood voting for and against the ordinance as above set forth at a regular meeting thereof on the _____ day of June, 2021.

City Clerk

CODING: Words in ~~struck through~~ type are deletions from existing law; words in underscore type are additions.

RESOLUTION NO. 2021-58

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
LAKEWOOD RELATING TO INCREASES IN CITY COUNCIL
COMPENSATION.

THE CITY COUNCIL OF THE CITY OF LAKEWOOD DOES RESOLVE AS
FOLLOWS:

SECTION 1. The City Council hereby expresses its interest in considering whether any increase in Council compensation is appropriate at times of and in percentages commensurate with cost-of-living increases provided to City employees. The City Manager is hereby directed to place this topic on City Council agendas at the appropriate times in order to accomplish the City Council's objective. This directive does not constitute any approval of any future increase in compensation.

SECTION 2. If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this Resolution, or any part hereof, is held invalid or unconstitutional, such decision shall not affect the validity of the remaining sections or portions of this Resolution. The City Council hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase in this Resolution irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases may be declared invalid or unconstitutional.

SECTION 3. The City Clerk shall certify to the adoption of this Resolution.

ADOPTED AND APPROVED THIS 12TH DAY OF OCTOBER, 2021.

Mayor

ATTEST:

City Clerk

D I V I D E R S H E E T

Reports

COUNCIL AGENDA

October 12, 2021

TO: The Honorable Mayor and City Council

SUBJECT: Nomination to Fill a Vacancy on the Southeast Los Angeles County Workforce Development Board (SELACO WDB)

INTRODUCTION

The City of Lakewood has two allocations for private sector representatives to serve as Directors on the Workforce Development Board of Southeast Los Angeles County (SELACO WDB). The Board members' terms are fixed and staggered and each year on June 30th one member's term expires.

STATEMENT OF FACT

One of Lakewood's private sector representatives, Ms. Allison Castellanos, is resigning from the WDB. Her resignation created a vacancy on the Board. A new representative needs to be nominated by the City Council to serve on the Board. The federal Workforce Innovation and Opportunity Act (WIOA) requires that members of WDBs be owners of a business. The Greater Lakewood Chamber of Commerce supports Mr. Michael Segura's nomination to the WDB to represent Lakewood's business community.

Mr. Segura is the owner of a local branch of Farmers Insurance and meets all the requirements of the WIOA as a private sector representative on the Workforce Investment Board. Michael currently serves on the Board of Directors for the Greater Lakewood Chamber of Commerce and is quite active in the community. He has a strong interest in serving on the WDB.

RECOMMENDATION

As the Lakewood City Council's representative on the WDB Policy Board, I recommend the City Council approve the nomination of Michael Segura as one of Lakewood's business sector representatives to the WDB.



Jeff Wood
Mayor

D I V I D E R S H E E T

COUNCIL AGENDA

October 12, 2021

TO: The Honorable Mayor and City Council

SUBJECT: Lakewood State Legislative Bill Positions and Final Outcomes in 2021

INTRODUCTION

With direction and guidance from the 2021 Legislative Platform, the City of Lakewood took a position on 15 pieces of legislation in the 2021 State Legislative Session.

Of the 8 bills the City supported:

- 4 were enacted and will become State law;
- 1 was adopted by the State Legislature but vetoed by the Governor;
- 2 are awaiting action from the Governor; and,
- 1 failed passage in the State Legislature.

Of the 7 bills the City opposed;

- 3 were enacted and will become State law;
- 1 was adopted by the State Legislature but vetoed by the Governor; and,
- 3 failed passage in the State Legislature.

It is important to note that even though bills may have failed passage, the Legislature will be entering the second year of a two-year legislative session, therefore bills that have failed can be made into two-year bills.

STATEMENT OF FACTS

A description of each bill, the City's position and its outcome in 2021 is below.

Land Use and Housing

Opposition to SB 9 (Atkins). This bill would require a local government to ministerially approve, without condition or discretion, a housing development containing two residential units in single-family residential zones and require local governments to ministerially approve urban lot splits. The City opposed this bill because, for a built out community like Lakewood, this bill would force more housing into parcels that are modest to begin with. A typical 5,000 square foot single-family lot could end up with up to six housing units if this bill were to pass. That increase in density would negatively impact public infrastructure such as water, sewer and gas, as those were originally designed to handle a specific density for that zone. Our city would have to spend funds to upgrade the infrastructure and provide services that these new residents need and deserve.

Finally, the added density would exacerbate existing parking issues for residents in the neighborhood. *The bill was signed by the Governor into law.*

Opposition to AB 215 (Chiu). This bill would create a new, mid-cycle regional housing needs progress determination process and mandates cities and counties with “low progress” in meeting those housing targets to consult with the California Department of Housing and Community Development (HCD) and adopt pro-housing policies. The City is concerned that the regulations will not be broad enough to capture the diversity of policies and strategies cities and counties can adopt at the local level to incentivize additional efforts to attain pro-housing status. *The bill was signed by the Governor into law.*

Local Control

Opposition to SB 556 (Dodd). This bill requires local governments to make space available to telecommunications providers without recognizing local authority to manage the public right-of-way preserved in federal law. It also creates ambiguity in the fees local governments can charge for access to their infrastructure. The City opposes this bill because FCC regulations explicitly enable local governments to ensure that such installations meet appearance and design standards, maintain traffic safety, protect historical resources' integrity, and safeguard citizens' quality of life. To protect the public's investment, the control of the public rights-of-way must remain local. *The bill was vetoed by the Governor.*

Opposition to SB 617 (Wiener). This bill requires local governments to implement an online automated permitting platform that verifies code compliance and instantaneously issues permits for solar and solar-plus-storage systems. The City opposes this bill because this requirement will pose both technical and fiscal challenges for cities to implement. SB 617 creates ambiguity by failing to define how permits would be issued “instantaneously.” It is also unclear how SB 617 would align with existing law, which already streamlines the solar permitting process. *The bill was held in the Senate.*

Support of SB 60 (Glazer). This bill would allow cities to impose a fine of up to \$5,000 for public health and safety violations of a short-term rental ordinance. The City supports this bill because the increase in the allowed amount will help deter and prevent public health and safety violations related to short-term rentals. *The bill was signed by the Governor into law.*

Local Government Finance

Support of SB 4 (Gonzalez). This bill would prioritize deployment of broadband infrastructure in unserved and underserved communities throughout California through the ongoing collection of the California Advanced Services Fund (CASF) surcharge. The City supports this bill because it ensures the continued collection of an essential source of broadband funding. This measure not only authorizes the ongoing collection of the existing CASF surcharge but also makes it easier for local governments to access these grants.

The bill is awaiting action on the Governor's desk.

Opposition to SB 278 (Leyva). This bill would require public agencies to directly pay retirees and/or their beneficiaries, disallowed retirement benefits using general fund dollars. It would place 100 percent of the total liability for disallowed retirement benefits on public agencies—abdicating all responsibility previously held by CalPERS to ensure that retirement benefits are calculated and administered correctly. *The bill was signed into law by the Governor.*

Support for SB 780 (Cortese). This bill proposes helpful changes and clarifications to improve the functioning and usefulness of Enhanced Infrastructure Finance Districts (EIFDs), and Community Revitalization Investment Authorities (CRIAs). The City supports legislation that reforms the local government financing structure to create long term stability for public services, facilities and future city growth. *The bill was signed into law by the Governor.*

Support for SB 792 (Glazer). This bill would, beginning on or after January 1, 2022, require retailers whose annual online sales exceeded \$50 million in the previous calendar year to track and report to the California Department of Tax and Fee Administration (CDTFA) where the purchaser resides for each sale within the state that is transacted online. The bill would also direct retailers to report this information on the same schedule the retailer reports sales to the CDTFA. The City supports this bill because it will better the public's understanding of online transactions and the flow of goods across the state. The new reporting requirement will support the study of the impact of booming online sales on sales tax allocations across the state. *The bill was vetoed by the Governor.*

Elections

Support for SB 590 (Allen). The bill changes the date of the direct primary election in gubernatorial years from the first Tuesday after the first Monday in March in each even-numbered year. Under the California Voter Participation Act of 2015 (SB 415), general law cities must hold their elections on a statewide election date. To comply, a number of cities including Lakewood changed our election dates from March of odd-numbered years to March of even-numbered years beginning with the March 2020 election. Consequently, pursuant to existing law, some councilmembers elected in March 2017, had their terms extended for 12 months from expiring in March 2021 to expiring in March 2022. However, 12 months is the maximum term extension allowed by Elections Code section 10403.5(b). Therefore, with SB 970 now law, there are councilmembers whose terms will expire before the next election for their council seat (in June). For the city, there is a possibility that could lose quorum since three seats are up. This bill fixes this issue by extending any term of office set to expire in March or April 2022 until the certification of election results from the June 7, 2022 statewide primary election. *The bill was signed by the Governor.*

Environmental Quality

Support for SB 619 (Laird). This bill would give local governments an optional pathway to compliance with SB 1383 (Lara, 2016), and the subsequent CalRecycle's regulations (Regulations), without the fear of onerous penalties for one year. The City supports this bill because it strikes a balance between not delaying progress on implementing the program and not burdening local governments with onerous penalties for one year if they are making a reasonable effort to comply with the Regulations. *The bill was signed by the Governor into law.*

Water

Opposition to AB 1434 (Friedman). This bill would arbitrarily change the indoor water use standards established by AB 1668 (Friedman, 2018). This bill proposes to incrementally lower the indoor water use standard starting in January 1, 2023 to reach a standard of 40 gallons per capita daily (GPCD) starting in 2030. Further the bill removes the requirement for the Department of Water Resources (DWR), in consultation with the State Water Resources Control Board (State Water Board), to submit a report (DWR Report) on the result of its indoor water use studies and make recommendations regarding the existing standards. AB 1668 and SB 606 (Hertzberg, 2018) were a package of bills that implemented new water use efficiency standards, of which one part is the indoor water use standard this bill proposes to change. The provisions in these two bills were closely studied and negotiated by stakeholders in the water community as well as members of the Legislature and environmental community. The City opposes this bill because it goes back on the agreements that were made when AB 1668 and SB 606 were passed and signed into law. *The bill was held in the Assembly.*

Opposition to AB 377 (Rivas). This bill would require, by January 1, 2023, the State Water Resources Control Board and regional boards to prioritize enforcement of all water quality standard violations that are causing or contributing to an exceedance of a water quality standard in a surface water of the state. The bill would require the state board and regional boards, by January 1, 2025, to evaluate impaired state surface waters and report to the Legislature a plan to bring all water segments into attainment by January 1, 2050. The City opposes this bill because it enables the Legislature set prescriptive compliance terms for every single discharge permit throughout the State, and would be a significant policy departure with severe adverse consequences and contrary to the goals of the State and existing programs. *The bill was held in the Assembly.*

Other

Support for SB 635 (Gonzalez). This bill would require Caltrans to coordinate cleanup activities related to state highway rights-of-way and homeless encampments on Caltrans-owned property. Accumulated roadside debris can be dangerous to drivers, the environment, and individuals living in homeless encampments. Caltrans, the organization responsible for overseeing roadside maintenance including litter and debris removal, faces a monumental task in keeping roads clean—

in 2019 alone, Caltrans collected approximately 18,000 garbage trucks full of roadside debris. Moreover, Caltrans is facing an increased demand on its cleanup resources: in 2017, Caltrans spent an estimated \$10M cleaning up some 7,000 homeless encampments—a 34% increase from the previous year. The City supports this bill because it creates a system that supports better facilitation between Caltrans and local entities, as well as identifying other barriers to roadside cleanups. *The bill was held in the Senate.*

Support for SB 268 (Archuleta). This bill would authorize the establishment of the Lower San Gabriel River Recreation and Park District (LSGRPD) subject to LAFCO law and the Recreation and Park District Law until January 1, 2024. The City supports this bill because LSGRPD will help to promote the development of open space and parks for the benefit of communities along the Lower San Gabriel River as determined by the Board of Directors whose composition would include Lakewood. This bill will ensure that residents in the areas surrounding the Lower Los Angeles and the Lower San Gabriel River will have access to the benefits of recreational area that many other Californians enjoy. *This bill is awaiting action on the Governor's desk.*

RECOMMENDATION

Staff recommends that the City Council receive and file this report.


Paolo Beltran
Deputy City Manager


Thaddeus McCormack
City Manager

Encl: Attachment A, Overview of the City's Legislative Positions

Attachment A

Legislation	Position	Outcome
SB 9 (Atkins) – Housing Development: Approvals	Oppose	Enacted
AB 215 (Chiu) – Planning and Zoning: Housing Element	Oppose	Enacted
SB 556 (Dodd) – Small Wireless Facilities Attachments	Oppose	Vetoed
SB 617 (Wiener) – Residential Solar Energy Systems	Oppose	Failed
SB 60 (Glazer) – Residential Short Term Rental Ords	Support	Enacted
SB 4 (Gonzalez) – Communications: CASF	Support	Pending
SB 278 (Leyva) – PERS: Disallowed Compensation	Oppose	Enacted
SB 780 (Cortese) – Public Investment Authorities	Support	Enacted
SB 792 (Glazer) – Sales and Use Tax: Online Transactions	Support	Vetoed
SB 590 (Allen) – 2022 Statewide Primary: Term of Office	Support	Enacted
SB 619 (Laird) – Organic Waste: Local Compliance	Support	Enacted
AB 1434 (Friedman) – Urban Water: Indoor Use	Oppose	Failed
AB 377 (Rivas) – Water Quality: Impaired Waters	Oppose	Failed
SB 635 (Gonzalez) – State Highways: Cleanup	Support	Failed
SB 268 (Archuleta) – Lower LA and San Gabriel River	Support	Pending

D I V I D E R S H E E T

*Successor
Agency*

**CITY OF LAKEWOOD SUCCESSOR AGENCY - PROJECT AREAS
FUND SUMMARY 9/30/2021**

In accordance with section 2521 of the Lakewood Municipal Code there is presented herewith a summary of obligations to be paid by voucher 223 through 223. Each of the following demands has been audited by the Director of Administrative Services and approved by the City Manager.

2902	ENFORCEABLE OBLIGATIONS	<u>759,787.00</u>
		759,787.00

Council Approval

Date

City Manager

Attest

City Clerk

Director of Administrative Services

**CITY OF LAKEWOOD SUCCESSOR AGENCY - PROJECT AREAS
SUMMARY CHECK REGISTER**

<u>CHECK #</u>	<u>CHECK DATE</u>	<u>VEND #</u>	<u>VENDOR NAME</u>	<u>GROSS</u>	<u>DISC.</u>	<u>CHECK AMOUNT</u>
223	09/27/2021	72230	LOS ANGELES CO	759,787.00	0.00	759,787.00
Totals:				<u>759,787.00</u>	<u>0.00</u>	<u>759,787.00</u>

NOTE:

The check above payable to Los Angeles County is for "excess" funds originally provided by the County that were above and beyond the necessary funds to meet the Successor Agency's current-year obligations. Returning the excess funds does not adversely impact the City.

DIVIDER SHEET

Housing Successor

**CITY OF LAKEWOOD SUCCESSOR AGENCY - HOUSING
FUND SUMMARY 9/30/2021**

In accordance with section 2521 of the Lakewood Municipal Code there is presented herewith a summary of obligations to be paid by voucher 418 through 418. Each of the following demands has been audited by the Director of Administrative Services and approved by the City Manager.

3901	HOUSING SUCCESSOR AGENCY	1,800.00
		<hr/>
		1,800.00

Council Approval

Date

City Manager

Attest

City Clerk

Director of Administrative Services

**CITY OF LAKEWOOD SUCCESSOR AGENCY - HOUSING
SUMMARY CHECK REGISTER**

<u>CHECK #</u>	<u>CHECK DATE</u>	<u>VEND #</u>	<u>VENDOR NAME</u>	<u>GROSS</u>	<u>DISC.</u>	<u>CHECK AMOUNT</u>
418	09/30/2021	2177	SINDAHA SAMIR	1,800.00	0.00	1,800.00
Totals:				<u>1,800.00</u>	<u>0.00</u>	<u>1,800.00</u>