



City of Culver City

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Staff Report Details (With Text)

File #: 22-273 **Version:** 1 **Name:** Adoption of an Ordinance Amending, Title 5, Public Works, of the Culver City Municipal Code (CCMC) to Add a New Chapter 5.08 Entitled "Mandatory Organic Waste Disposal Reduction Regulations."
Type: Minutes **Status:** Consent Agenda
File created: 9/1/2021 **In control:** City Council Meeting Agenda
On agenda: 9/27/2021 **Final action:**
Title: Adoption of an Ordinance Amending, Title 5, Public Works, of the Culver City Municipal Code (CCMC) to Add a New Chapter 5.08 Entitled "Mandatory Organic Waste Disposal Reduction Regulations."

Sponsors:

Indexes:

Code sections:

Attachments: 1. SB 1383 Mandatory Organic Waste Disposal Reduction Regulations Ordinance

Date	Ver.	Action By	Action	Result
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Adoption of an Ordinance Amending, Title 5, Public Works, of the Culver City Municipal Code (CCMC) to Add a New Chapter 5.08 Entitled "Mandatory Organic Waste Disposal Reduction Regulations."

Meeting Date: September 27, 2021

Contact Person/Dept: Chanel Kincaid/ Public Works EPO
Phone Number: (310) 253 - 6445

Fiscal Impact: Yes ☒ No ☐ **General Fund:** Yes ☐ No ☒

Public Hearing: ☐ **Action Item:** ☒ **Attachments:** ☐

Commission Action Required: Yes ☐ No ☒ **Date:**

Public Notification: (E-Mail) Meetings and Agendas - City Council (09/22/2021);

Department Approval: Charles D. Herbertson Public Works Director/City Engineer (09/15/2021)

RECOMMENDATION

Staff recommends the City Council adopt an Ordinance amending, Title 5, Public Works, of the Culver City Municipal Code (CCMC) to add a new Chapter 5.08, entitled "Mandatory Organic Waste Disposal Reduction Regulations".

BACKGROUND/DISCUSSION

At the August 23, 2021 meeting, City Council voted 5-0 to introduce an Ordinance amending Title 5, Public Works, of the Culver City Municipal Code (CCMC) to add a new Chapter 5.08, entitled Mandatory Organic Waste Disposal Reduction Regulations.

The Ordinance is now being presented for adoption. If adopted, the Ordinance has the following components:

SB 1383 requires that municipalities adopt and enforce an ordinance to implement relevant provisions of SB 1383 Regulations by January 1, 2022. To meet this requirement, the City has drafted the proposed Mandatory Organic Waste Disposal Reduction Regulations Ordinance (Attachment A) with the following provisions:

- 5.08.005 Definitions
- 5.08.010 Requirements for Single-Family Generators
- 5.08.015 Requirements for Commercial Businesses
- 5.08.020 Waivers for Generators
- 5.08.025 Requirements for Commercial Edible Food Generators
- 5.08.030 Requirements for Food Recovery Organizations and Services
- 5.08.035 Requirements for Facility Operators
- 5.08.040 Compliance with CalGreen Recycling Requirements
- 5.08.045 Model Water Efficient Landscaping Ordinance Requirements
- 5.08.050 Procurement Requirements for Jurisdiction Departments, Direct Service Providers and Vendors
- 5.08.055 Inspections and Investigations by City
- 5.08.060 Enforcement

The following is a summary of SB 1383 and related legislation requirements:

- Provide organic waste collection services to all organic waste generators
Conduct route reviews of randomly selected containers for contaminants with all routes inspected annually
- Conduct waste characterizations twice per year
- Label all new containers with SB 1383 compliant labels by January 1, 2022
- Implement a food recovery program that educates commercial edible food generators and increases access to food recovery programs
- Identify Tier One and Tier Two commercial edible food generators
- Increase food recovery capacity if current capacity is insufficient
- Maintain a list of food recovery organizations/services and update annually

- Provide Tier One and Tier Two commercial edible food generators with information about requirements applicable to them, food recovery programs and food recovery organizations/services
- Procure a quantity of recovered organic waste, such as compost, mulch, renewable natural gas, or electricity from biomass, that meets or exceeds the annual organic waste product procurement target assigned by CalRecycle
- Purchase paper products and printing and writing paper with at least 30% post-consumer, recycled content fibers and require the vendors that sell these products to the city certify compliance with these requirements in writing
- Implement an inspection program for Tier One and Tier Two edible food generators, and food recovery organizations by January 1, 2022
- Provide educational materials to regulated entities not in compliance with these new requirements during 2022 and 2023
- Investigate and maintain records of all complaints alleging non-compliance with SB 1383
- Take enforcement actions including issuing notices of violations and assessing penalties in amounts consistent with those specified in SB 1383, starting on January 1, 2024
- Pay penalties if assessed by Cal Recycle
- Annually, provide generators with information on properly separating materials, organics waste prevention, on-site recycling, methane reduction benefits, how to recycle organics and edible food donation
- Annually provide Tier One and Tier two commercial edible food generators with information on the city's edible food recovery program, generator requirements and food recovery organizations
- Maintain all records in a central file location

FISCAL ANALYSIS

Culver City is projecting that one-time implementation costs associated with SB 1383 will be approximately \$600,000 and annual costs thereafter are projected at \$350,000. These increased costs will be met by the rate increase that was approved by City Council on August 8, 2021 which resulted in a 15% increase in FY 21/22, 10% increase in FY 22/23, 10% increase in FY 23/24, and 2.25% increase in FY 24/25 annually through FY 2030/2031.

ATTACHMENTS

1. SB 1383 Mandatory Organic Waste Disposal Reduction Regulations Ordinance

MOTION

That the City Council:

Adopt an Ordinance amending, Title 5, Public Works, of the Culver City Municipal Code (CCMC) to add a new Chapter 5.08, Mandatory Organic Waste Disposal Reduction Regulations, and waive further reading.