

Gloria Olmos, Mayor
Richard Angel, Mayor Pro Tem
Manuel Acosta, Councilmember
Hector Delgado, Councilmember
Gracie Retamoza, Councilmember



Rachel Barbosa, City Manager
Donna G. Schwartz, City Clerk
Anthony R. Taylor, City Attorney

CITY OF SOUTH EL MONTE

REGULAR MEETING OF THE SOUTH EL MONTE CITY COUNCIL

AGENDA

May 11, 2021, 6:00 PM
(Via Zoom)

*****SPECIAL NOTICE REGARDING COVID-19*****

On March 17, 2020, Governor Newsom issued Executive Order N-29-20 in response to the COVID-19 pandemic, which authorizes the City Council to hold public meetings via teleconferencing and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to observe and to address the local legislative body. All requirements of the Brown Act requiring the physical presence of Council Members, staff, or the public as a condition of participation in or quorum for a public meeting have been waived. Public participation will be allowed via the information below.

To view Live Meetings, use Zoom link below:

Join Zoom Meeting (View and/or Participate ONLY during PUBLIC COMMENT)

Link: <https://us02web.zoom.us/j/81375798835>

Webinar ID: 813 7579 8835

Or

Call In: 1 669 900 6833, when prompted, then enter 81375798835#

GENERAL COMMENT

Members of the public wishing to submit a general comment or a comment on an agenda item, can email dschwartz@soelmonte.org or call (626) 579-6540 to leave a voicemail message. All comments received an hour before the scheduled meeting will be added to the City Council agenda as part of the public comment.

MEETINGS

The [City Council](#) holds regular meetings on the second and fourth Tuesday of every month. Regular meetings start at 6 p.m. in the Council Chambers at City Hall, 1415 Santa Anita Avenue, South El Monte, California. Special and Adjourned Regular meetings start time are to be determined.

POSTING LOCATIONS OF AGENDA AND/OR CANCELLATION NOTICES

Regular and Adjourned Regular meeting agendas will be posted at least 72 hours before the meeting (GC 54954(a)(1)).

Agenda and Cancellation Notices can be viewed online and are also posted at the following three (3) locations: City Hall located at 1415 Santa Anita Avenue, Senior Center located at 1556 Central Avenue and the Community Center located at 1530 Central Avenue, South El Monte, California.

VIEWING OF AGENDA PACKETS

Full agenda packet can be viewed either at www.cityofsouthelmonte.org/129/City-Council-Agendas-Minutes or in the City Clerk's Office during normal business hours Monday through Thursday 7:00 a.m. to 5:30 p.m. Closed on Fridays and major holidays.

ISSUES RELATED TO AGENDA

For issues related to the agenda, including a disability-related accommodation necessary to participate in this meeting, please contact Donna G. Schwartz, CMC, City Clerk at (626) 579-6540 ext. 3280 or Cell (626) 274-0412 or Robert Molina, Interim Deputy City Clerk at (626) 579-6540 ext. 3220 or Cell (626) 374-1998.

[Agenda Begins on the Following Page]

1. ROLL CALL

Councilmembers: Acosta, Delgado, Retamoza, Mayor Pro Tem Angel, and Mayor Olmos

2. PLEDGE OF ALLEGIANCE – Councilmember Gracie Retamoza

3. INVOCATION – Laura Lozano, Permit Technician, Community Development Department, City of South El Monte

4. PRESENTATIONS

- 4.a. CERTIFICATE OF RECOGNITION PRESENTED TO MIA DELGADO FOR HER INDUCTION INTO THE U.S. JUDO NATIONALS AS A MEMBER OF THE JUNIOR AND CADET TEAMS IN THE PAN-AMERICAN JUDO CHAMPIONSHIPS IN CALI, COLUMBIA REPRESENTING THE UNITED STATES
- 4.b. CERTIFICATE OF RECOGNITION TO ISRAELI-AMERICAN CIVIC ACTION NETWORK (ICAN) HONOREES SILVIA FOTI AND GRANT ARTHUR GOCHIN FOR THEIR EFFORTS IN FIGHTING RACISM, ANTISEMITISM, HOLOCAUST'S DENIAL AND FOR THE PREVENTION OF GENOCIDE THROUGH THEIR WRITING
- 4.c. CERTIFICATE OF HONOR IN MEMORY OF JOE JIMENEZ, DECORATED WORLD WAR II HERO, SCREAMING EAGLES 101ST AIRBORNE AND SOUTH EL MONTE RESIDENT
- 4.d. PROCLAMATION PROCLAIMING THE WEEK OF MAY 16-22, 2021 AS SAFETY SEAT CHECKUP WEEK BY SAFETYBELT SAFE U.S.A
- 4.e. PROCLAMATION PRESENTED TO CITY OF SOUTH EL MONTES CITY CLERK'S OFFICE RECOGNIZING MUNICIPAL CLERK'S WEEK MAY 2-8, 2021
- 4.f. PROCLAMATION PRESENTED TO CITY OF SOUTH EL MONTE'S COMMUNITY DEVELOPMENT DEPARTMENT RECOGNIZING NATIONAL PUBLIC WORKS WEEK MAY 16-23, 2021
- 4.g. PROCLAMATION PROCLAIMING THE MONTH OF "MAY" ASIAN AMERICAN PACIFIC ISLANDER HERITAGE MONTH IN THE CITY OF SOUTH EL MONTE AND ENCOURAGING ALL RESIDENTS TO LEARN MORE ABOUT THOSE OF ASIAN AMERICAN, NATIVE HAWAIIAN, AND PACIFIC ISLANDER HERITAGE, MOVING US CLOSER TO A BELOVED COMMUNITY

presentations continued on next page...

4.h. PRESENTATION BY LENA-PRUDENCE WEIGAND AND PRIMITIVO NUNEZ, ENVIRONMENTAL SCIENTIST, FROM CALRECYCLE TO REVIEW NEW REQUIREMENTS OF SB 1383 SHORT LIVED - CLIMATE POLLUTANTS REGULATIONS

California's effort to reduce super pollutants builds on the state's shared commitment to reduce greenhouse gas emissions, improve human health, and create clean jobs that support resilient local economies. Implementing a state-wide plan (SB 1383, Lara, Chapter 395, Statutes of 2016) to reduce short-lived climate pollutants, harmful super pollutants.

5. APPROVAL OF THE AGENDA AND WAIVER OF FULL READING OF ORDINANCES

By motion of the City Council, this is the time to notify the public of any changes to the agenda, remove items from the consent calendar for individual consideration and/or rearrange the order of the agenda.

6. PUBLIC COMMENT

Speakers may provide public comment on any matter that is within the subject matter jurisdiction of the City Council, including items on the agenda. Each speaker may speak for up to five minutes. With respect to non-public hearing agenda items, speakers shall provide their comments at this time. With respect to public hearing agenda items, speakers are encouraged to speak during the public hearing if they want their comments to be included in the record of the public hearing. Unless a majority of the Council objects, the Mayor may provide to speakers more or less time to speak. Any documents for review should be presented to the City Clerk for distribution.

7. CONSENT CALENDAR

Items on the consent calendar are considered to be routine and customary and are enacted by a single motion with the exception of items previously removed by a member of the City Council during "Approval of the Agenda" for individual consideration. Any items removed shall be individually considered immediately after taking action on the Consent Calendar.

7.a. CONSIDERATION AND APPROVAL OF REGULAR CITY COUNCIL MEETING MINUTES FOR APRIL 27, 2021

Staff seeks Council approval of the Minutes for the Regular City Council Meeting held Tuesday, April 27, 2021.

RECOMMENDED ACTION: Staff recommends City Council approve the Regular City Council Meeting Minutes of April 27, 2021.

consent calendar continued on next page...

7.b. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 21-25, APPROVING WARRANTS FOR THE PERIOD OF APRIL 28, 2021 THROUGH MAY 11, 2021

Authorizing payment of City expenditures for the period of April 28, 2021 through May 11, 2021 totaling \$1,025,448.84

RECOMMENDED ACTION: Staff recommends City Council adopt Resolution No. 21-25, authorizing payment of City expenditures.

7.c. CONSIDERATION AND APPROVAL OF 2021 FOURTH OF JULY FIREWORKS STAND PERMITS

Five nonprofits based within the City have filed applications to operate during this Fourth of July season from June 30-July 5.

RECOMMENDED ACTION: Staff recommends City Council consider and file a request to allow for five firework stands which applications have been received in conjunction with the Fourth of July 2021. The Planning Division reviewed the applications and find that they meet the intent of Chapter 8.08 of the South El Monte Municipal Code.

7.d. CONSIDERATION OF RESOLUTION NO. 21-26, APPROVING AN AMENDMENT TO THE AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES, INC. FOR CEQA RELATED SERVICES

The California Environmental Quality Act (CEQA) analysis began in November 2020 for the Mye Plaza Mixed Use Development. At this time, its now necessary to conduct further CEQA analysis that were identified as optional tasks in the Kimley-Horn Agreement. These tasks must be performed before the final documents can be adopted, and an additional \$21,500 is required to perform these tasks.

RECOMMENDED ACTION: Staff recommends City Council adopt Resolution No. 21-26, approving an amendment to an existing agreement with Kimley-Horn for conducting an environmental review of the Project pursuant to CEQA, for an additional amount not to exceed \$21,500.

8. PUBLIC HEARINGS - None

9. GENERAL BUSINESS

9.a. DISCUSSION TO REVIEW THE DRAFT ORGANIC WASTE DISPOSAL REDUCTION ORDINANCE TO COMPLY WITH SENATE BILL 1383, RESPOND TO COUNCIL'S REQUEST FOR SOLUTIONS TO ADDRESS CITYWIDE ILLEGAL DUMPING ISSUES, INTRODUCE OPTIONS FOR AMENDED WASTE AND RECYCLING SERVICES AND CUSTOMER RATES

The California Integrated Waste Management Act of 1989 (the "Act") established a solid waste management process that requires local jurisdictions to adopt and implement plans to reduce the amount of solid waste generated within their jurisdictions and to maximize reuse and recycling.

Assembly Bill (AB) 1826 and Senate Bill (SB) 1383 amended the Act to include provisions regarding organic waste recycling, and AB 341 amended the Act to, among other things, require commercial waste generators to arrange for recycling services. The City's current Municipal Code provisions concerning solid waste management, most of which have not been updated since 1994, are out of date and lack many of the provisions required by the Act and recent legislation.

Today's discussion is to review the draft Organic Waste Disposal Reduction Ordinance to comply with SB 1383, respond to Council's request for solutions to address citywide illegal dumping issues and introduce options for amended waste/recycling services and customer rates.

RECOMMENDED ACTION: Council to receive a presentation from the Community Development Director Colby Cataldi and Athens Services, engage in a dialogue, ask questions, and provide feedback and/or direction to staff.

10. COMMITTEE REPORTS, INCLUDING AB 1234 REPORTS

AB 1234 requires that councilmembers must briefly report, orally or in writing, on meetings attended at City expense (for example, Contract City and League of California Cities Conferences, ICSC conferences, etc.) at the City Council meeting following the meeting.

11. CORRESPONDENCE - None

12. COUNCILMEMBERS' AGENDA

12.a. MAYOR GLORIA OLMOS

1. Briefing on Stray Paws Animal Haven Compassionate Solutions for Cats TNR (trap neuter return) Experts located in South El Monte.
2. Consideration of co-hosting a fundraiser with the El Monte/South El Monte Chamber of Commerce and Mr. John Dewitt to support the South El Monte Chamber of Commerce Scholarship Foundation. Date to be determined for June 2021.

13. CLOSED SESSION

13.a. CONFERENCE WITH LEGAL COUNSEL—POTENTIAL LITIGATION

Potential initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: (1 case)

14. ADJOURNMENT

Tuesday, May 25, 2021, 6:00 p.m.

I Donna G. Schwartz, hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted not less than 72 hours at City of South El Monte City Hall, Senior Center and Community Center and made available at www.cityofsouthelmonte.org on this 6th day of May 2021.



City Clerk, CMC



City Council Agenda Report

**Agenda
Item No.
4.a.**

DATE: May 11, 2021

TO: Honorable Mayor and Members of the City Council

APPROVED BY: Rachel Barbosa, City Manager

SUBMITTED BY: Dianna Gomez, Executive Assistant

SUBJECT: CERTIFICATE OF RECOGNITION PRESENTED TO MIA DELGADO FOR HER INDUCTION INTO THE U.S. JUDO NATIONALS AS A MEMBER OF THE JUNIOR AND CADET TEAMS IN THE PAN-AMERICAN JUDO CHAMPIONSHIPS IN CALI, COLUMBIA REPRESENTING THE UNITED STATES.

SUMMARY:

RECOMMENDATION:

FISCAL IMPACT:

DISCUSSION:

ATTACHMENTS:

[Certificate of Recognition Mia Delgado](#)



Certificate of Recognition
Presented to:

Mia Delgado

*On Behalf of the Mayor and City Council and the citizens of
City of South El Monte for your exceptional athleticism and
dedication to sport of Judo, which led you to the title of U.S. Judo
National Champion and a spot on the U.S. National Judo Team.*

*The City of South El Monte will be cheering you on at the
Pan-American Judo Championships in Cali, Colombia which you
will be representing in the Junior and Cadet Teams.*

Congratulations Mia and Good luck!

May 11, 2021

Gloria Olmos
Mayor Gloria Olmos

Richard Angel
Mayor Pro Tem Richard Angel

Manuel Acosta
Councilmember
Manuel Acosta

Hector Delgado
Councilmember
Hector Delgado

Gracie Delgado
Councilmember
Gracie Delgado



City Council Agenda Report

**Agenda
Item No.
4.b.**

DATE: May 11, 2021

TO: Honorable Mayor and Members of the City Council

APPROVED BY: Rachel Barbosa, City Manager

SUBMITTED BY: Dianna Gomez, Executive Assistant

SUBJECT: CERTIFICATE OR RECOGNITION TO ISRAELI-AMERICAN CIVIC ACTION NETWORK (ICAN) HONREES SILVIA FOTI AND GRANT ARTHUR GOCHIN FOR THEIR EFFORTS IN FIGHTING RACISM, ANTISEMITISM, HOLOCAUST'S DENIAL AND FOR THE PREVENTION OF GENOCIDE THROUGH THEIR WRITING

SUMMARY:

RECOMMENDATION:

ATTACHMENTS:

[Certificate of Recognition Grant Arthur Gochin](#)

[Certificate of Recognition Silvia Foti](#)



Certificate of Recognition
Presented to:

Grant Arthur Gochin

*On Behalf of the Mayor and City Council and the citizens of
City of South El Monte for your dedication and efforts to fighting
racism, anti-Semitism, Holocaust denial and for the prevention of
genocide through your writings featured in the New York Times,
BBC, Chicago Tribune, Times of Israel, Jerusalem Post, and many
more outlets.*

May 11, 2021

Gloria Olmos
Mayor Gloria Olmos

Richard Angel
Mayor Pro Tem Richard Angel

Manuel Acosta
Councilmember
Manuel Acosta

Hector Delgado
Councilmember
Hector Delgado

Gracie Retamozo
Councilmember
Gracie Retamozo



Certificate of Recognition
Presented to:

Silvia Foti

*On Behalf of the Mayor and City Council and the citizens of
City of South El Monte for your dedication and efforts to fighting
racism, anti-Semitism, Holocaust denial and for the prevention of
genocide through your writings featured in the New York Times,
BBC, Chicago Tribune, Times of Israel, Jerusalem Post, and many
more outlets.*

May 11, 2021

Gloria Olmos
Mayor Gloria Olmos

Richard Angel
Mayor Pro Tem Richard Angel

Manuel Acosta
Councilmember
Manuel Acosta

Hector Delgado
Councilmember
Hector Delgado

Gracie Retamozo
Councilmember
Gracie Retamozo



City Council Agenda Report

**Agenda
Item No.
4.c.**

DATE: May 11, 2021

TO: Honorable Mayor and Members of the City Council

APPROVED BY: Rachel Barbosa, City Manager

SUBMITTED BY: Dianna Gomez, Executive Assistant

SUBJECT: CERTIFICATE OF HONOR IN MEMORY OF JOE JIMENEZ, DECORATED WORLD WAR II HERO, SCREAMING EAGLES 101ST AIRBORNE AND SOUTH EL MONTE RESIDENT

SUMMARY:

RECOMMENDATION:

FISCAL IMPACT:

DISCUSSION:

ATTACHMENTS:

[Certificate of Honor Joe Jimenez](#)



*Certificate of Honor
In Memory of:*

Joe Jimenez

*Decorated World War II Hero,
Screaming Eagles 101st Airborne Division and
South El Monte Resident
Your Service to the
United States of America and the City of South El Monte
will not be forgotten.
We Salute Your Honor and Sacrifice.*

May 11, 2021

Gloria Olmos
Mayor Gloria Olmos

Richard Angel
Mayor Pro Tem Richard Angel

Manuel Acosta
Councilmember
Manuel Acosta

Hector Delgado
Councilmember
Hector Delgado

Gracie Retamozo
Councilmember
Gracie Retamozo



City Council Agenda Report

**Agenda
Item No.
4.d.**

DATE: May 11, 2021

TO: Honorable Mayor and Members of the City Council

APPROVED BY: Rachel Barbosa, City Manager

SUBMITTED BY: Dianna Gomez, Executive Assistant

SUBJECT: PROCLAMATION PROCLAIMING THE WEEK OF MAY 16-22, 2021 AS SAFETY SEAT CHECKUP WEEK BY SAFETYBELT SAFE U.S.A

SUMMARY:

RECOMMENDATION:

FISCAL IMPACT:

DISCUSSION:

ATTACHMENTS:

[Safety Seat Check Up Week](#)



Proclamation

SAFETY SEAT CHECK UP WEEK

Whereas, the number one preventable cause of death and injury to children and young adults is the automobile collision; and

Whereas, about 90 child passengers under fifteen are killed and more than 12,000 injured in automobile collisions in California each year; and

Whereas, 71% of small children killed in crashes would be alive today if they had been properly restrained in child safety seats; and

Whereas, 45% of injuries to child occupants ages four to eight could be prevented with the use of booster seats; and

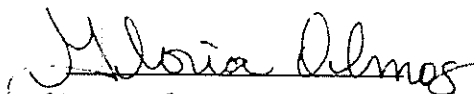
Whereas, more than 90% of child safety seats are used incorrectly; and

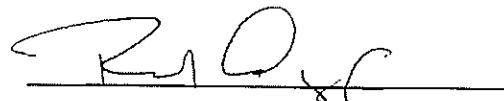
Whereas, the State of California requires that all occupants ride restrained properly in safety seats of safety belts with children in the back seat until at least age eight; and

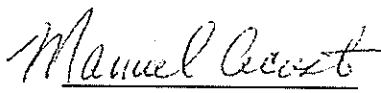
Whereas, crash-tested safety seats are moderately priced and widely available for purchase at retail stores and, at low cost; from safety seat distribution programs throughout California; and

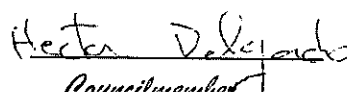
Whereas, SafetyBeltSafe U.S.A. has been dedicated for more than 41 years to protecting children from injury or death while being transported in a motor vehicle:

NOW BE IT PROCLAIMED BY THE CITY OF SOUTH EL MONTE THAT May 16-22, 2021 BE DECLARED SAFETY SEAT CHECKUP WEEK.


Mayor Gloria Olmos


Mayor Pro Tem Richard Angel


Councilmember
Manuel Acosta


Councilmember
Hector Delgado


Councilmember
Gracie Retamozo



City Council Agenda Report

**Agenda
Item No.
4.e.**

DATE: May 11, 2021

TO: Honorable Mayor and Members of the City Council

APPROVED BY: Rachel Barbosa, City Manager

SUBMITTED BY: Donna Schwartz, City Clerk

SUBJECT: PROCLAMATION PRESENTED TO CITY OF SOUTH EL
MONTES CITY CLERK'S OFFICE RECOGNIZING
MUNICIPAL CLERK'S WEEK MAY 2-8, 2021

SUMMARY:

RECOMMENDATION:

FISCAL IMPACT:

DISCUSSION:

ATTACHMENTS:

[Municipal Clerks Week](#)



PROCLAMATION

MUNICIPAL CLERKS WEEK MAY 2 -8, 2021

WHEREAS, The Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world, and

WHEREAS, The Office of the Municipal Clerk is the oldest among public servants and it is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk, and

WHEREAS, The Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels, and

WHEREAS, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all, and

WHEREAS, The Municipal Clerk serves as the information center on functions of local government and community, and

WHEREAS, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, provincial, county and international professional organizations.

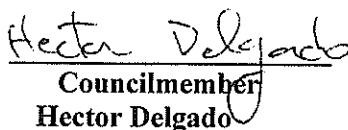
NOW, THEREFORE, I, Gloria Olmos, Mayor of South El Monte and on behalf of the City Council, by virtue of the authority vested in me by the Constitution and laws of South El Monte and State of California do hereby recognize the week of May 2 through May 8, 2021, as Municipal Clerks Week, and further extend appreciation to our Certified Municipal Clerk, Donna G. Schwartz, and to our Deputy City Clerk, Paola Lara, for the vital services they perform and their exemplary dedication to the communities they represent.

IN WITNESS WHEREOF, I have hereby set my hand and caused the Seal of South El Monte to be affixed this 11th day of May 2021.


Mayor Gloria Olmos


Mayor Pro Tem Richard Angel


Councilmember
Manuel Acosta


Councilmember
Hector Delgado


Councilmember
Gracie Retamozo



City Council Agenda Report

**Agenda
Item No.
4.f.**

DATE: May 11, 2021

TO: Honorable Mayor and Members of the City Council

APPROVED BY: Rachel Barbosa, City Manager

SUBMITTED BY: Donna Schwartz, City Clerk

SUBJECT: PROCLAMATION PRESENTED TO CITY OF SOUTH EL MONTE'S COMMUNITY DEVELOPMENT DEPARTMENT RECOGNIZING NATIONAL PUBLIC WORKS WEEK MAY 16-23, 2021

SUMMARY:

RECOMMENDATION:

FISCAL IMPACT:

DISCUSSION:

ATTACHMENTS:

[Public Works Week](#)



PROCLAMATION
NATIONAL PUBLIC WORKS WEEK
MAY 16-23, 2021

"STRONGER TOGETHER"

WHEREAS, public works professionals focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the people of South El Monte and,

WHEREAS, these infrastructure, facilities and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers and employees at all levels of government and the private sector, who are responsible for rebuilding, improving and protecting our nation's transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens; and,

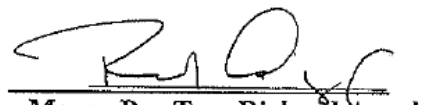
WHEREAS, it is in the public interest for the citizens, civic leaders and children in South El Monte to gain knowledge of and to maintain a progressive interest and understanding of the importance of public works and public works programs in their respective communities; and,

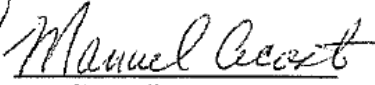
WHEREAS, the year 2021 marks the 61st annual National Public Works Week sponsored by the American Public Works Association/Canadian Public Works Association be it now,

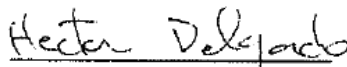
NOW, THEREFORE, I, Gloria Olmos, Mayor of South El Monte and on behalf of the City Council, by virtue of the authority vested in me by the Constitution and laws of South El Monte and State of California do hereby proclaim May 16 - 22, 2021 as National Public Works Week; I urge all citizens to join with representatives of the American Public Works Association/Canadian Public Works Association and government agencies in activities, events and ceremonies designed to pay tribute to our public works professionals, engineers, managers and employees and to recognize the substantial contributions they make to protecting our national health, safety, and quality of life.

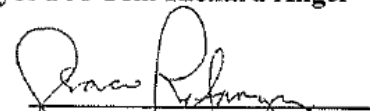
IN WITNESS WHEREOF, I have hereby set my hand and caused the Seal of the City of South El Monte to be affixed this 11th day of May 2021.


Mayor Gloria Olmos


Mayor Pro Tem Richard Angel


Councilmember
Manuel Acosta


Councilmember
Hector Delgado


Councilmember
Gracie Retamozo



City Council Agenda Report

**Agenda
Item No.
4.g.**

DATE: May 11, 2021

TO: Honorable Mayor and Members of the City Council

APPROVED BY: Rachel Barbosa, City Manager

SUBMITTED BY: Dianna Gomez, Executive Assistant

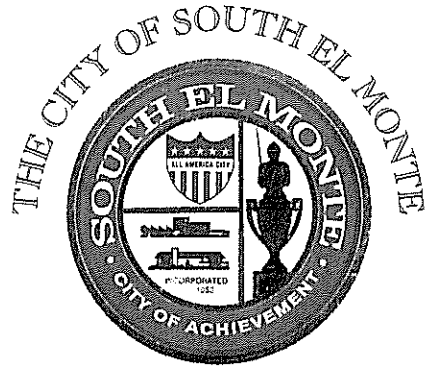
SUBJECT: PROCLAMATION PROCLAIMING THE MONTH OF "MAY" ASIAN AMERICAN PACIFIC ISLANDER HERITAGE MONTH IN THE CITY OF SOUTH EL MONTE AND ENCOURAGING ALL RESIDENTS TO LEARN MORE ABOUT THOSE OF ASIAN AMERICAN, NATIVE HAWAIIAN, AND PACIFIC ISLANDER HERITAGE, MOVING US CLOSER TO A BELOVED COMMUNITY

SUMMARY:

RECOMMENDATION:

ATTACHMENTS:

[AAPI Proclamation](#)



Proclamation

Asian American and Native Hawaiian / Pacific Islander Heritage Month, 2021

Whereas, this May, during Asian American and Native Hawaiian/Pacific Islander Heritage Month, we recognize the history and achievements of Asian Americans, Native Hawaiians, and Pacific Islanders (AANHPIs) across our Nation. In the midst of a difficult year of pain and fear, we reflect on the tradition of leadership, resilience, and courage shown by AANHPI communities, and recommit to the struggle for AANHPI equity.

Whereas, Asian Americans, and Native Hawaiians, and Pacific Islanders make our Nation more vibrant through diversity of cultures, languages, and religions. There is no single story of the AANHPI experience, but rather a diversity of contributions that enrich America's culture and society and strengthen the United States' role as a global leader. The American story as we know it would be impossible without the strength, contributions, and legacies of AANHPIs who have helped build and unite this country in each successive generation. From laying railroad tracks, tilling fields, and starting businesses, to caring for our loved ones and honorably serving our Nation in uniform, AANHPI communities are deeply rooted in the history of the United States.

Whereas, we also celebrate and honor the invaluable contributions the AANHPI communities have made to our Nation's culture and the arts, law, science and technology, sports and public service — including the courageous AANHPIs who have served on the front lines of the COVID-19 pandemic as health care providers, first responders, teachers, and other essential workers.



Whereas, In spite of the strength shown and successes achieved, the American dream remains out of reach for far too many AANHPI families. AANHPI communities face systemic barriers to economic justice, health equity, educational attainment, and personal safety. These challenges are compounded by stark gaps in Federal data, which too often fails to reflect the diversity of AANHPI communities and the particular barriers that Native Hawaiian, Pacific Islander, Southeast Asian, and South Asian communities in the United States continue to face.

Whereas, the City of South El Monte recognizes the heightened fear felt by many Asian American communities in the wake of increasing rates of anti-Asian harassment and violence during the COVID-19 pandemic, and the increasingly observable layers of hate now directed toward women and elders of Asian descent in particular. Our Nation continues to grieve the senseless killings of six women of Asian descent in Atlanta, and the unconscionable acts of violence victimizing our beloved Asian American seniors in cities across the country.

Whereas, Acts of anti-Asian bias are wrong, they are un-American, and they must stop. We will continue to look for opportunities to heal together and fight against the racism and xenophobia that still exists in this country.

Whereas, Asian Americans, Native Hawaiians, and Pacific Islanders have endured a long history of injustice — including the Page Act of 1875, the Chinese Exclusion Act of 1882, the incarceration of Japanese American citizens during World War II, the murder of Vincent Chin, the mass shooting of Southeast Asian refugee children in 1989, and the targeting of South Asian Americans, especially those who are Muslim, Hindu, or Sikh,



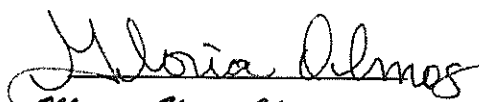
after the national tragedy of 9/11. It is long past time for Federal leadership to advance inclusion, belonging, and acceptance for all AANHPI communities.

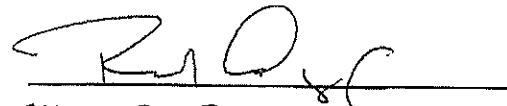
Whereas, the City of South El Monte is committed to a whole-of-government effort to advance equity, root out racial injustices in our Federal institutions, and finally deliver the promise of America for all Americans.

Whereas, we urge City of South El Monte residents to join us this month in celebrating AANHPI history, people, and cultures.

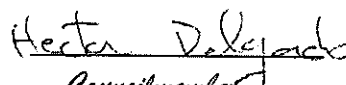
NOW, THEREFORE, I, Mayor Gloria Olmos, along with the City Council, do hereby proclaim May 2021 as Asian American and Native Hawaiian/Pacific Islander Heritage Month.

IN WITNESS WHEREOF, I have hereunto set my hand this 11th day of May, 2021.


Mayor Gloria Olmos


Mayor Pro Tem Richard Angel


Councilmember
Manuel Acosta


Councilmember
Hector Delgado


Councilmember
Gracie Retamozo



City Council Agenda Report

**Agenda
Item No.
4.h.**

DATE: May 11, 2021

TO: Honorable Mayor and Members of the City Council

APPROVED BY: Rachel Barbosa, City Manager

APPROVED AS TO FORM: Anthony R. Taylor, City Attorney

SUBMITTED BY: Colby Cataldi, Community Development Director

SUBJECT: PRESENTATION BY LENA-PRUDENCE WEIGAND AND
PRIMITIVO NUNEZ, ENVIRONMENTAL SCIENTIST,
FROM CALRECYCLE TO REVIEW NEW
REQUIREMENTS OF SB 1383 SHORT LIVED - CLIMATE
POLLUTANTS REGULATIONS

SUMMARY: California's effort to reduce super pollutants builds on the state's shared commitment to reduce greenhouse gas emissions, improve human health, and create clean jobs that support resilient local economies. Implementing a state-wide plan (SB 1383, Lara, Chapter 395, Statutes of 2016) to reduce short-lived climate pollutants, harmful super pollutants.

RECOMMENDATION:

FISCAL IMPACT: No Fiscal Impact

DISCUSSION:

ATTACHMENTS:



City Council Agenda Report

**Agenda
Item No.
7.a.**

DATE: May 11, 2021

TO: Honorable Mayor and Members of the City Council

APPROVED BY: Rachel Barbosa, City Manager

SUBMITTED BY: Donna Schwartz, City Clerk

SUBJECT: CONSIDERATION AND APPROVAL OF REGULAR CITY COUNCIL MEETING MINUTES FOR APRIL 27, 2021

SUMMARY: Staff seeks Council approval of the Minutes for the Regular City Council Meeting held Tuesday, April 27, 2021.

RECOMMENDATION: Staff recommends City Council approve the Regular City Council Meeting Minutes of April 27, 2021.

FISCAL IMPACT:

DISCUSSION:

ATTACHMENTS:

[4-27-21 DRAFT Reg CC Minutes](#)

**CITY OF SOUTH EL MONTE
REGULAR CITY COUNCIL MEETING - MINUTES
TUESDAY, April 27, 2021 - 6:00 p.m.**

1. ROLL CALL

Mayor Olmos called the meeting to order at 6:00 p.m.

PRESENT (via Zoom Webinar): Councilmember(s): Acosta, Delgado, Retamoza, Mayor Pro Tem Angel, and Mayor Olmos.

STAFF PRESENT(via Zoom Webinar): Rachel Barbosa, City Manager; Anthony R. Taylor, City Attorney; Colby Cataldi, Community Development Director; Rene Salas, Deputy City Manager; William Fox, Interim Finance Director; Donna G. Schwartz, City Clerk; Robert Molina, Interim Deputy City Clerk and Jayson Perez, Recreation Coordinator.

Pursuant to Government Code Section 54953, Subdivision (B) and Governor Newsom's Executive Order N-25-20, dated March 12, 2020, and Executive Order N-29-20, dated March 17, 2020. Zoom Webinar was provided for the Public.

2. PLEDGE OF ALLEGIANCE

Mayor Gloria Olmos led the Pledge of Allegiance.

3. INVOCATION

Pastor Benjamin Garrett, Faith Dominion Church, South El Monte, California offered the invocation (via Zoom Webinar).

4. PRESENTATIONS

4.a. SHERIFF'S DEPARTMENT REPORT FOR THE MONTH OF MARCH 2021

City Council received a report from the Sheriff's Department and discussed matters concerning law enforcement in the City.

4.b. CODE ENFORCEMENT AND PUBLIC SAFETY DEPARTMENT REPORT FOR THE MONTH OF MARCH 2021

City Council received a report from Code Enforcement Division of the Community Development Department on code enforcement and public safety activities during March 2021.

4.c. PRESENTATION BY JOHN KING, MANAGER OF STREET LIGHT PROJECTS, SOUTHERN CALIFORNIA EDISON (SCE) ON LIGHT EMITTING DIODE (LED) STREETLIGHT REPLACEMENT PROGRAM

The City of South El Monte is planning to upgrade the City street lights to more energy-efficient, dark sky friendly lights. The project, in coordination with Southern California Edison (SCE), includes converting all of the City's streetlights from High-Pressure Sodium (HPS) to Light Emitting Diode (LED) lights. The project will begin in summer 2021 and is expected to be completed by 2024.

4.d. PRESENTATION BY OMAR FARIS, TRANSPORTATION ELECTRIFICATION ADVISOR, SOUTHERN CALIFORNIA EDISON (SCE) ON CHARGE READY 2 PROGRAM

SCE's new Charge Ready program will launch this summer with the goal of supporting the installation of roughly 38,000 electric vehicle charging ports across our service area over four years. Charge Ready will have an extraordinary focus on equity by locating half of those charging ports in communities that are most heavily impacted by the combined effects of economic, environmental, and public health burdens. The program will also help expand the promise of electric vehicles to more people by supporting charging station installations at multifamily dwellings like apartments or condo complexes.

5. APPROVAL OF THE AGENDA AND WAIVER OF FULL READING OF ORDINANCES

A motion was made by Councilmember Acosta, seconded by Councilmember Retamoza to approve the agenda. Motion carried 5-0, by the following vote:

AYES: Councilmember(s): Acosta, Delgado, Retamoza, Mayor Pro Tem Angel, and Mayor Olmos.

NAYS: Councilmember(s): None.

6. PUBLIC COMMENT (Via Zoom Webinar)

1. Ruby Rose, spoke in regard to the SCE presentation by Omar Faris on charging stations, noting the City is currently updating the Housing Element and asked the City to consider charging stations as part of the element.
2. Chris Torres, South El Monte Little League, noting he is in attendance for any questions with regard to agenda item 9.d.

There being no more speakers, Mayor Olmos closed public comment.

7. CONSENT CALENDAR

A motion was made by Mayor Pro Tem Angel, seconded by Councilmember Acosta to approve Consent Calendar. Motion carried 5-0, by the following vote:

AYES: Councilmember(s): Acosta, Delgado, Retamoza, Mayor Pro Tem Angel, and Mayor Olmos.

NAYS: Councilmember(s): None.

7.a. Approved Minutes for the Regular City Council Meeting held Tuesday, April 13, 2021 and Minutes of the Special Joint Meeting with Planning Commission held Wednesday, April 20, 2021.

7.b. Adopted Resolution No. 21-23, approving payment of City expenditures for the period of April 14, 2021 through April 27, 2021 totaling \$500,061.93

8. PUBLIC HEARINGS - None

9. GENERAL BUSINESS

9.a. APPOINTMENT OF COMMUNITY SERVICES COMMISSIONER

Mayor Olmos announced the item.

A motion was made by Mayor Pro Tem Angel, seconded by Councilmember Retamoza to appoint Valerie Bechtold to the Community Services Commission for an unexpired term commencing April 28, 2021 and ending January 31, 2022. Motion carried 5-0, by the following vote:

AYES: Councilmember(s): Acosta, Delgado, Retamoza, Mayor Pro Tem Angel, and Mayor Olmos.

NAYS: Councilmember(s): None.

9.b. CONSIDERATION AND APPROVAL OF THE LOCATION AND ASSOCIATED COST FOR THE 2021 FOURTH OF JULY FIREWORK SHOW

Mayor Olmos announced the item.

City Manager Barbosa introduced Recreation Coordinator Perez who presented the staff report.

A motion was made by Councilmember Delgado, seconded by Mayor Pro Tem Angel to approve the location and associated costs of the 2021 Fourth of July Firework Show to be held on Sunday, July 4, 2021 beginning at 9:00

p.m. along with a passive community viewing event located at New Temple Park beginning at 7 p.m. Motion carried 5-0, by the following vote:

AYES: Councilmember(s): Acosta, Delgado, Retamoza, Mayor Pro Tem Angel, and Mayor Olmos.

NAYS: Councilmember(s): None.

9.c. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 21-24, APPROVING PARTICIPATION IN THE SUSTAINABLE TRANSPORTATION EQUITY PROJECT (STEP), ACCEPTANCE OF GRANT FUNDS AND AUTHORIZATION FOR CITY MANAGER OR DESIGNEE TO EXECUTE GRANT AGREEMENT FOR RUSH STREET CORRIDOR ENHANCEMENT PLAN

Mayor Olmos announced the item.

Community Development Director Cataldi presented the staff report.

A motion was made by Councilmember Acosta, seconded by Mayor Pro Tem Angel to adopt Resolution No. 21-24, approving participation in the Sustainable Transportation Equity Project (STEP), accept grant funds and authorization for the City Manager or designee to execute grant agreement for Rush Street Corridor Enhancement Plan. Motion carried 5-0, by the following vote:

AYES: Councilmember(s): Acosta, Delgado, Retamoza, Mayor Pro Tem Angel, and Mayor Olmos.

NAYS: Councilmember(s): None.

9.d. CONSIDERATION AND APPROVAL OF A FACILITY RESERVATION FEE WAIVER REQUEST BY SOUTH EL MONTE NATIONAL LITTLE LEAGUE FOR THE USE OF NEW TEMPLE PARK FIELDS AND MARY VAN DYKE PARK COMMUNITY ROOM

Mayor Olmos announced the item.

City Manager Barbosa introduced Recreation Coordinator Perez who presented the staff report.

Mayor Olms opened the item up for public comment.

Public Comment

1. Chris Torres, South El Monte Little League, spoke in support of the fee waiver request.

2. Art Frias, South El Monte Little League, noted the league started late registration due to pending approval by Council for use of fields and asked the City to help promote registration.

City Manager Barbosa stated the City has already been promoting the registration and will continue.

There being no more speakers, Mayor Olmos closed public comment.

A motion was made by Mayor Pro Tem Angel, seconded by Councilmember Delgado to approve the facility reservation fee waiver requested by South El Monte National Little League in the amount of \$19,300.00 for the use of New Temple Park fields to host their 2021 baseball and softball clinics, practices, and games from April 28, 2021 to July 31, 2021 and Mary Van Dyke Park gazebo or community room patio to host board meeting from April 28, 2021 to July 20, 2021.

10. COMMITTEE REPORTS, INCLUDING AB 1234 REPORTS

Councilmember Acosta announced his participation, via Zoom, **on April 21, 2021 in the City's Community Homeless quarterly update** and his attendance at the "Drive 4 Our Family" Foster Care Program drive through event at the South El Monte Community Center held Saturday, April 24, 2021, hosted by the City in conjunction with the Los Angeles County Department of Children and Family Services (DCFS).

Councilmember Delgado announced his participation, via Zoom, **in the City's Community Homeless quarterly update** and and thanked City Manager Barbosa, Richard Corral, Corral Consulting and staff. Also noted how well he liked the use of translation for the workshop and proudly announced his daughter Mia making the "US National Judo Team."

Councilmember Retamoza announced her participation, via Zoom, **in the City's Community Homeless quarterly update** and, thanked City Manager Barbosa, Richard Corral, Corral Consulting and staff for all their support, noted her attendance at the "Drive 4 Our Family" Foster Care Program event and congratulated Councilmember Delgado on his daughter making the "US National Judo Team."

Mayor Pro Tem Angel acknowledged Richard Corral, Corral Consulting on a good report that was given at the **City's Community Homeless quarterly update** and thanked City Manager Barbosa. Noted the comments by people that attended the "Drive 4 Our Family" event on how well the city hosted the program and thanked the Recreation staff for all their support.

Mayor Olmos announced her participation, via Zoom, **in the City's Community Homeless quarterly update** and, thanked Richard Corral on his presentation, her participation in the "Resource Family Recruitment Webinar" that provided information on the Foster Care Program. She noted her attendance at the "Drive 4 Our Family" drive through event and thanked City Manager Barbosa, Deputy City Manager Salas and staff for all their support. Her participation in the Council of Governments (COG), Southeast Area Animal Control Authority (SEAACA) meetings, announced an upcoming virtual leadership meeting sponsored by the City of South El Monte titled "VisonHER" on May 8th Women Empowering Women, her participation in the Mayors Coalition Against Gang Violence and the VFW recognition.

11. CORRESPONDENCE - None

12. COUNCILMEMBERS' AGENDA - None

13. CLOSED SESSION - None

14. RECESS COUNCIL MEETING

At 7:51 p.m. Mayor Olmos recessed the Regular City Council meeting to the Successor Agency meeting.

At 7:54 p.m. Mayor Olmos reconvened to the Regular City Council Meeting.

15. RECONVENE AND ADJOURN COUNCIL MEETING

There being no further business coming before this body, at 8:01 p.m. Mayor Olmos adjourned the meeting to a regular meeting on Tuesday, May 11, 2021 at 6:00 p.m.

Donna G. Schwartz, CMC, City Clerk

Gloria Olmos, Mayor



City Council Agenda Report

**Agenda
Item No.
7.b.**

DATE: May 11, 2021

TO: Honorable Mayor and Members of the City Council

APPROVED BY: Rachel Barbosa, City Manager

SUBMITTED BY: William Fox, Interim Finance Director

SUBJECT: CONSIDERATION AND APPROVAL OF RESOLUTION
NO. 21-25, APPROVING WARRANTS FOR THE PERIOD
OF APRIL 28, 2021 THROUGH MAY 11, 2021

SUMMARY: Authorizing payment of City expenditures for the period of April 28, 2021 through May 11, 2021 totaling \$1,025,448.84

RECOMMENDATION: Staff recommends City Council adopt Resolution No. 21-25, authorizing payment of City expenditures.

FISCAL IMPACT:

DISCUSSION:

ATTACHMENTS:
[Resolution No. 21-25](#)

[Warrants](#)

RESOLUTION NO. 21-25

A RESOLUTION OF THE SOUTH EL MONTE CITY COUNCIL ALLOWING CERTAIN CLAIMS AND DEMANDS FOR THE PERIOD OF APRIL 28, 2021 THROUGH MAY 11, 2021 TOTALING \$1,025,448.84

THE CITY COUNCIL OF THE CITY OF SOUTH EL MONTE DOES HEREBY RESOLVE, DETERMINE, AND ORDER AS FOLLOWS:

SECTION 1: That in accordance with Section 37202 of the Government Code, the Finance Director hereby certifies to the accuracy of the following demands and the availability of funds for payment thereof.

Finance Director

SECTION 2: That the following claims and demands have been audited as required by law and that the same are hereby allowed in the amounts hereafter set forth.

	<u>CLAIMANT</u>	<u>CLAIM PERIOD</u>	<u>WARRANT #'S</u>	<u>AMOUNT</u>
FY 20/21	Electronic Warrants	4/28/2021 – 5/11/2021	4972-4990	\$225,290.82
FY 20/21	Hand Typed Warrants	4/28/2021 – 5/11/2021	137577-137578	\$5,594.50
FY 20/21	Regular Warrants	4/28/2021 – 5/11/2021	137579-137647	\$675,473.52
Payroll	Check	PPE 5/01/2021	27389-27395	\$6,505.82
Payroll	Manual Check	PPE 5/01/2021	27396	\$105.83
Payroll	Direct Deposit	PPE 5/01/2021	788991-789076	\$112,478.35

TOTAL EXPENDITURES RESOLUTION NO. 21-25 \$1,025,448.84

PASSED, APPROVED, AND ADOPTED this 11th day of May 2021.

Gloria Olmos, Mayor

ATTEST:

Donna G. Schwartz, City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF SOUTH EL MONTE)

I, Donna G. Schwartz, City Clerk of the City of South El Monte, do hereby certify that the foregoing Resolution, being Resolution No. 21-25, was duly passed and approved by the City Council of the City of South El Monte at a regular meeting of said Council held on the 11th day of May 2021, and that said Resolution was adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Donna G. Schwartz, City Clerk

City of South El Monte
Warrant Register
Council Meeting of 05/11/2021

Date: 5/5/2021

Time: 09:37AM

FY	Budget Unit	Vendor Name	Check Number	Check Date	Description	Amount
21	05	AFLAC WORLDWIDE HEADQUARTERS	4984	4/29/2021	MARCH 2021	1,521.18
						\$1,521.18
21	011001050	CALPERS	4985	4/29/2021	APR'21 RETIRED ADMIN	14.80
21	011001050		4985	4/29/2021	APR'21 ACTIVE ADMIN	141.64
21	011001050		4985	4/29/2021	APR'21 RETIRED HEALTH	1,001.00
21	05		4985	4/29/2021	APR'21 ACTIVE HEALTH	59,016.11
						\$60,173.55
21	011001050	CALPERS RETIREMENT	4972	4/22/2021	2021 REPLACE BENEFIT	236.34
21	05		4973	4/22/2021	APR'21 COUNCIL 27216	116.63
21	05		4974	4/22/2021	3/21-4/3 PLAN 23047	2,196.28
21	05		4974	4/22/2021	3/21-4/3 PLAN 27216	8,736.82
21	05		4974	4/22/2021	3/21-4/3 PLAN 685	10,160.43
21	05		4986	4/29/2021	4/4-4/17 PLAN 23047	2,103.62
21	05		4986	4/29/2021	4/4-4/17 PLAN 27216	9,025.58
21	05		4986	4/29/2021	4/4-4/17 PLAN 685	9,942.79
						\$42,518.49
21	05	DEPARTMENT OF THE TREASURY	4975	4/22/2021	PPE 4/17/21 MED	4,660.50
21	05		4975	4/22/2021	PPE 4/17/21 FEDERAL	15,573.13
21	05		4975	4/22/2021	PPE 4/17/21 FICA	19,927.76
21	05		4976	4/22/2021	PPE 4/3/21 MED	4,699.70
21	05		4976	4/22/2021	PPE 4/3/21 FEDERAL	14,827.52
21	05		4976	4/22/2021	PPE 4/3/21 FICA	20,095.18
						\$79,783.79
21	011001040	ELAN FINANCIAL SERVICES	4978	4/22/2021	3/25 WEBINAR TRAINING	20.00
21	011001040		4978	4/22/2021	5/6 WEBINAR TRAINING	20.00
21	011001040		4978	4/22/2021	3/30 WEBINAR TRAINING	20.00
21	011001010		4978	4/22/2021	3/9 COUNCIL MTG MEAL	25.88
21	011401430		4978	4/22/2021	SGV ECON SUMMIT	30.00
21	011501540		4978	4/22/2021	CJPIA PARK&REC ACADEMY	302.30
21	011001020		4978	4/22/2021	CITY VIDEO CONFERENCE	337.90
21	011301310		4978	4/22/2021	CA MUNICIPAL LAW BOOK	403.22
21	011301330		4978	4/22/2021	CITY CELL PHONES#502	1,346.85
21	011301330		4978	4/22/2021	11/19-12/18 WIRELESS	8,998.39
21	011407020		4978	4/22/2021	CREDIT RETURN TO CARD	-11.00
21	011501530		4978	4/22/2021	EASTER FLYER	2.99
21	011501530		4978	4/22/2021	COVID-19 ENG FLYER	2.99
21	011501530		4978	4/22/2021	COVID-19 SPAN FLYER	2.99
21	011001040		4978	4/22/2021	ADOBE PHOTOSHOP SUB	9.99
21	011701710		4978	4/22/2021	SGV TRIBUNE SUBSCRIP	10.00
21	011501530		4978	4/22/2021	ST.PATT DAY CRAFT SUP	11.03
21	011501530		4978	4/22/2021	ST.PATT DAY CRAFT SUP	12.10
21	011001010		4978	4/22/2021	V.DAY DRI-TRU DONUTS	12.59
21	011701710		4978	4/22/2021	LA TIMES SUBSCRIPTION	15.96
21	011501530		4978	4/22/2021	ST.PATT DAY CRAFT SUP	17.60
21	011501530		4978	4/22/2021	EASTER CRAFT SUP	46.50
21	011001020		4978	4/22/2021	HOTSPOT SVCS/R.B	50.00

City of South El Monte
Warrant Register
Council Meeting of 05/11/2021

Date: 5/5/2021

Time: 09:37AM

FY	Budget Unit	Vendor Name	Check Number	Check Date	Description	Amount
21	011001010	ELAN FINANCIAL SERVICES...	4978	4/22/2021	HOTSPOT SVCS/R.B	50.00
21	01		4978	4/22/2021	POSTMATE FRAUD	62.24
21	011001010		4978	4/22/2021	3/9 COUNCIL MTG MEAL	79.64
21	011001010		4978	4/22/2021	HOTSPOT SVCS/H.D	90.00
21	011501530		4978	4/22/2021	MMASC MEMBERSHIP	90.00
21	011001010		4978	4/22/2021	2/24 COUNCIL MTG MEAL	107.44
21	011301310		4978	4/22/2021	CSMFO MEMBERSHIP	110.00
21	011407020		4978	4/22/2021	IPHONE CASE/PROTECTOR	126.50
21	011501530		4978	4/22/2021	TLG GOVAPALOOZA CONF.	149.50
21	011501540		4978	4/22/2021	TLG GOVAPALOOZA CONF.	149.50
21	011501540		4978	4/22/2021	PROGRAM SUP-PAINTS	175.00
21	011001050		4978	4/22/2021	RAPID TEST J.FER #502	175.00
21	011001050		4978	4/22/2021	RAPID TEST MADERA#502	175.00
21	011001050		4978	4/22/2021	RAPID TEST CHAVEZ#502	175.00
21	011001010		4978	4/22/2021	HOTSPOT SVCS/COUNCIL	200.00
21	011001020		4978	4/22/2021	HOTSPOT SVCS/COUNCIL	200.00
21	011401410		4978	4/22/2021	PC ACADEMY CONFERENCE	250.00
						\$14,053.10
21	011301310	EMPLOYMENT DEVELOPMENT DEPT.	4979	4/22/2021	1ST QTR 2021/ETT	177.10
21	05		4980	4/22/2021	PPE 4/17 TNG WTHD'G	28.42
21	05		4980	4/22/2021	PPE 4/17 UITAX WTHD'G	721.92
21	05		4980	4/22/2021	PPE 4/17 STATE WTHD'G	4,768.05
21	05		4981	4/22/2021	PPE 4/3 TNG WTHD'G	32.75
21	05		4981	4/22/2021	PPE 4/3 UITAX WTHD'G	915.05
21	05		4981	4/22/2021	PPE 4/3 STATE WTHD'G	4,591.79
						\$11,235.08
21	05	HARTFORD INSURANCE	4987	4/29/2021	APR'21 LT DISABILITY	7,262.38
						\$7,262.38
21	05	STATE DISBURSEMENT UNIT	4982	4/22/2021	PPE 4/3 CASE 1457313	603.50
21	05		4982	4/22/2021	PPE 4/3 CASE 2135289	646.15
21	05		4982	4/22/2021	PPE 4/3 CASE 0980438	150.00
21	05		4983	4/22/2021	PPE 4/17 CASE 0980438	150.00
21	05		4983	4/22/2021	PPE 4/17 CASE 1457313	603.50
21	05		4983	4/22/2021	PPE 4/17 CASE 2135289	646.15
						\$2,799.30
21	011701750	US BANK VOYAGER FLEET SYS	4988	4/29/2021	2/25-3/24 TAX EXEMPT	-61.32
21	011701750		4988	4/29/2021	2/25-3/24 TAX EXEMEPT	-31.17
21	011701740		4988	4/29/2021	2/25-3/24 FUEL BLDG	217.84
21	448008010		4988	4/29/2021	2/25-3/24 TAX EXEMEPT	-30.79
21	011407020		4988	4/29/2021	2/25-3/24 TAX EXEMEPT	-30.15
21	011401100		4988	4/29/2021	2/25-3/24 TAX EXEMEPT	-10.21
21	011701740		4988	4/29/2021	2/25-3/24 TAX EXEMEPT	-9.59
21	448008010		4988	4/29/2021	2/25-3/24 TAX EXEMPT	-6.36
21	011701740		4988	4/29/2021	2/25-3/24 TAX EXEMPT	-5.23
21	011701740		4988	4/29/2021	2/25-3/24 FUEL BLDG	110.90
21	448008010		4988	4/29/2021	2/25-3/24 FUEL TRANS	139.74

City of South El Monte
Warrant Register
Council Meeting of 05/11/2021

Date: 5/5/2021

Time: 09:37AM

FY	Budget Unit	Vendor Name	Check Number	Check Date	Description	Amount
21	011401100	US BANK VOYAGER FLEET SYS...	4988	4/29/2021	2/25-3/24 FUEL P-SFTY	222.54
21	011701750		4988	4/29/2021	2/25-3/24 FUEL LAND	663.00
21	011407020		4988	4/29/2021	2/25-3/24 FUEL CODE	667.79
21	448008010		4988	4/29/2021	2/25-3/24 FUEL TRANS	684.03
21	011701750		4988	4/29/2021	2/25-3/24 FUEL LAND	1,360.10
						\$3,881.12
21	011501540	WALMART COMMUNITY/GEGRB	4989	4/29/2021	SPRING CAMP SUP	123.71
21	011511543		4989	4/29/2021	SPECIAL EVENTS SUP	129.17
21	011501530		4989	4/29/2021	SCTR CRAFT SUPPLIES	47.12
21	011501540		4989	4/29/2021	VIRTUAL CRAFT SUP	48.87
						\$348.87
21	05	WASHINGTON NATIONAL INSURANCE CC	4990	4/29/2021	APR'21 LIFE INSURANCE	1,713.96
						\$1,713.96

Report Total **225,290.82**


 City Manager
 For Rachel

City of South El Monte
Warrant Register
Council Meeting of 05/11/2021

Date: 5/5/2021

Time: 09:38AM

FY	Budget Unit	Vendor Name	Check Number	Check Date	Description	Amount
21	05	NATIONWIDE RETIREMENT SOLUTIONS	137577	4/29/2021	PPE 4/17/21	5,510.50
						\$5,510.50
21	05	VONS CREDIT UNION	137578	4/29/2021	PPE 4/3/21 ASSO. FEE	42.00
21	05		137578	4/29/2021	PPE 4/17/21 ASSO. FEE	42.00
						\$84.00

Report Total 5,594.50



City Manager
For Rachel

City of South El Monte
Warrant Register
Council Meeting of 05/11/2021

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FY	Budget Unit	Vendor Name	Check Number	Check Date	Description	Amount	
21	689009020	ACTION SALES	137579	5/11/2021	SOLID DOOR FREEZER	4,771.81	
						\$4,771.81	
21	011301330	ADVANCED MICROCOMPUTING CONCEP	137580	5/11/2021	INTUNE MOBILE POLICY	7,831.25	
						\$7,831.25	
21	689009020	AIRPORT MANNA FORD	137581	5/11/2021	2021 FORD RANGER #411	29,687.93	
						\$29,687.93	
21	011001030	ALESQUIRE & WYNDER, LLP	137582	5/11/2021	MAR'21 ASSESSMENT	106.00	
21	011001030		137582	5/11/2021	MAR'21 HOUSING	132.50	
21	011001030		137582	5/11/2021	MAR'21 FINANCE	172.00	
21	011001030		137582	5/11/2021	MAR'21 SUCCESSOR AGEN	450.50	
21	011001030		137582	5/11/2021	MAR'21 LITIGATION	479.50	
21	011001030		137582	5/11/2021	MAR'21 CODE ENFORCE	1,029.68	
21	011001030		137582	5/11/2021	MAR'21 ADDITIONAL SVC	1,086.50	
21	011001030		137582	5/11/2021	MAR'21 ADDITIONAL SVC	2,158.33	
21	011001030		137582	5/11/2021	MAR'21 PW ENGINEERING	2,408.00	
21	011001030		137582	5/11/2021	MAR'21 PLANNING	3,870.25	
21	011001030		137582	5/11/2021	MAR'21 PERSONNEL	6,704.50	
21	011001030		137582	5/11/2021	MAR'21 GENERAL	9,671.00	
						\$28,268.76	
21	689009000	AMAZON CAPITAL SERVICES, INC	137583	5/11/2021	RETURN FLASHLIGHT#411	-70.38	
21	063003020		137583	5/11/2021	DONATION ENVELOPES	8.86	
21	011701740		137583	5/11/2021	CITY CELL PHONE CASE	21.99	
21	011701020		137583	5/11/2021	OFFICE SUPPLIES	31.13	
21	011301310		137583	5/11/2021	DEPT. OFFICE SUP	37.84	
21	011701740		137583	5/11/2021	SPRAY BOTTLES #502	39.66	
21	011501530		137583	5/11/2021	BAG FOR NEW CANOPY	41.78	
21	011501530		137583	5/11/2021	WIPE & WIPE DISPENSER	142.20	
21	011701020		137583	5/11/2021	OFFICE SUPPLIES	195.38	
21	011701720		137583	5/11/2021	CAT 5 ETHERNET CABLES	359.40	
21	689009020		137583	5/11/2021	FLASHLIGHTS #411/CODE	419.16	
21	011401430		137583	5/11/2021	COM. DEV. DEPT SUP	674.79	
21	011701750		137583	5/11/2021	SPRINKLER NOZZLES	50.00	
21	011401100		137583	5/11/2021	PHONE CASE/P-SFTY	52.53	
21	011401430		137583	5/11/2021	PHONE CASE/COM.DEV.	64.88	
21	063003010		137583	5/11/2021	DONATION ENVELOPES	79.81	
						\$2,149.03	
21	011701720		AQUA PURE DRINKING WATER	137584	5/11/2021	APR'21 H2O SVCS YARD	31.91
						\$31.91	
21	011301330	AT&T	137585	5/11/2021	3/22-4/21 BAN 1034752	22.59	
21	011301330		137585	5/11/2021	3/15-4/14 BAN 1034755	23.68	
21	011301330		137585	5/11/2021	3/15-4/14 BAN 1034756	46.81	
						\$93.08	
21	011701750	ATHENS SERVICES	137586	5/11/2021	APR'21 PARK'G LOT SVC	473.67	
21	011701760		137586	5/11/2021	APR'21 SWEEPER SVCS	5,233.15	

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						\$5,706.82
21	011701750	B&M LAWN & GARDEN CENTER	137587	5/11/2021	HAND HELD TOOLS	376.50
21	011701750		137587	5/11/2021	HAND HELD TOOLS	1,229.98
21	011701750		137587	5/11/2021	RIVAL MOWER PART RPLC	143.12
						\$1,749.60
21	011001040	BERTHA HERNANDEZ	137611	5/11/2021	REPLC CK 130731	39.00
21	011001040		137611	5/11/2021	EXPIRED CK 131249	39.00
21	011001040		137611	5/11/2021	EXPRED CK 131624	39.00
21	011001040		137611	5/11/2021	EXPIRED CK 132503	39.00
						\$156.00
21	011701020	BORREGO SOLAR SYSTEM, INC	137589	5/11/2021	SOLAR SYSTEM RPR/YARD	1,127.50
21	011701020		137589	5/11/2021	SOLAR SYSTEM RPR/YARD	2,535.65
						\$3,663.15
21	011301320	BUREAU VERITAS NORTH AMERICAN INC	137590	5/11/2021	MAR'21 BUS LIC INSPEC	640.00
21	011401440		137590	5/11/2021	MAR'21 CERT OCC INSPC	385.00
						\$1,025.00
21	011601620	BUTLER CHEMICALS, INC.	137591	5/11/2021	DISH WASHER SOLUTIONS	79.38
						\$79.38
21	011301330	CALIFORNIA COMMUNICATIONS	137592	5/11/2021	9/8-3/8 SURVEILL MCTR	1,518.54
21	011301330		137592	5/11/2021	9/8-3/8 SURVEIL CHALL	1,965.60
21	011301330		137592	5/11/2021	9/8-3/8/21 SURV. SVC	2,527.68
21	011301330		137592	5/11/2021	9/17-3/17 SURV. PARKS	2,616.96
21	011301330		137592	5/11/2021	APR'20 WIRELESS BRIDG	680.00
21	011301330		137592	5/11/2021	MAR'21 WIRELESS BRIDG	680.00
						\$9,988.78
21	011501510	CALIFORNIA DESIGNS	137593	5/11/2021	C.S COMMISSION POLOS	100.00
21	011501515		137593	5/11/2021	PATRIOTIC COMM. POLOS	121.00
						\$221.00
21	011601620	CINTAS CORP. #693	137596	5/11/2021	4/20 MAT CLEANING	80.37
21	011601620		137596	5/11/2021	4/13 MAT CLEANING	80.37
						\$160.74
21	011701770	CITY OF EL MONTE-FINANCE DEPT.	137597	5/11/2021	JAN'21 CNG FUEL #28	99.12
21	011701770		137597	5/11/2021	FEB'21 CNG FUEL #28	113.40
						\$212.52
21	011701750	COUNTY OF LOS ANGELES	137599	5/11/2021	1/26 PESTICIDE TRAIN'	664.10
						\$664.10
21	011701720	DDC ELECTRIC SUPPLY, INC.	137600	5/11/2021	INTERNET BOX ELEC SUP	30.29
21	011701720		137600	5/11/2021	INTERNET BOX ELEC SUP	114.21
						\$144.50
21	011701020	DE LAGE LANDEN	137601	5/11/2021	MAY'21 COPIER LEASE	4,451.90
						\$4,451.90
21	011001040	DIANNA GOMEZ	137608	5/11/2021	PHOTOS FOR 2/29/20	16.29

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21	011001040	DIANNA GOMEZ...	137608	5/11/2021	PHOTOS FOR 2/29/20	21.93
21	011001040		137608	5/11/2021	CENSUS TENT SNACKS	77.62
						\$115.84
21	063003010	DRIFTWOOD DAIRY, INC	137602	5/11/2021	4/22 MILK/BREAD NUTR	131.15
21	063003010		137602	5/11/2021	4/15 MILK/BREAD NUTR	173.79
21	063003010		137602	5/11/2021	4/19 MILK/BREAD NUTR	210.76
21	063003010		137602	5/11/2021	4/26 MILK/BREAD NUTR	229.71
21	063003020		137602	5/11/2021	4/22 MILK/BREAD NUTR	14.57
21	063003020		137602	5/11/2021	4/15 MILK/BREAD NUTR	19.31
21	063003020		137602	5/11/2021	4/19 MILK/BREAD NUTR	23.41
21	063003020		137602	5/11/2021	4/26 MILK/BREAD NUTR	25.52
						\$828.22
21	011201210	E.G. BRENNAN & CO., INC.	137603	5/11/2021	TIME STAMP RIBBON	20.26
						\$20.26
21	011701720	ECOLAB PEST ELIM. DIVISION	137604	5/11/2021	MAR'21 PEST CTRL YARD	144.14
						\$144.14
21	011601670	EWING IRRIGATION	137605	5/11/2021	SPRINKLER RPR/MVD	226.80
21	011701760		137605	5/11/2021	ROUNDUP HERBICIDE	235.00
						\$461.80
21	011301310	FEDEX	137606	5/11/2021	AUDIT DOCS DELIVERY	29.55
						\$29.55
21	011701750	GARVEY EQUIPMENT COMPANY	137607	5/11/2021	HEDGE TRIMMER/SHIELD	483.38
21	011701750		137607	5/11/2021	CHAINSAW RPR SUPPLIES	124.49
21	011701750		137607	5/11/2021	HEDGE TRIMMER RPR SUP	134.76
						\$742.63
21	011601670	GRANT'S TRUE VALUE HARDWARE	137609	5/11/2021	SAW BLADES	48.38
21	011701720		137609	5/11/2021	LOCK WASHER/YARD	62.90
21	011601640		137609	5/11/2021	LOCK ROOM RPR SUPPLY	17.33
21	011701720		137609	5/11/2021	INTERNET BOX INST SUP	19.43
21	011701720		137609	5/11/2021	PLUNGER & BLOTS/YARD	31.98
						\$180.02
21	011301310	HDL COREN & CONE	137610	5/11/2021	APR-JUN'21 PROP TAX	2,025.00
						\$2,025.00
21	063003020	HUNTINGTON CULINARY	137612	5/11/2021	4/20-4/23 FRZN MEALS	265.50
21	063003020		137612	5/11/2021	4/13-4/16 FRZN MEALS	330.40
21	063003010		137612	5/11/2021	4/20-4/23 FRZN MEALS	6,465.37
21	063003010		137612	5/11/2021	4/13-4/16 FRZN MEALS	6,611.86
						\$13,673.13
21	011701720	INDUSTRIAL PIPE & STEEL	137613	5/11/2021	ELECT BOX ALUM PLATE	15.95
						\$15.95
21	011301310	JACQUELINE CASTRO	137594	5/11/2021	TAX RE-FILE REIMBURSE	100.00
						\$100.00
21	011701760	JCL TRAFFIC SERVICES	137614	5/11/2021	NO PARK'G SIGNS/VEST	245.30

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21	011701760	JCL TRAFFIC SERVICES...	137614	5/11/2021	STREET SIGNS ANCHORS	412.06
						\$657.36
21	011401410	JEFFREY MICHAEL ORTIZ	137624	5/11/2021	APR'21 PC MEETING	150.00
						\$150.00
21	011701770	JOSE'S AUTO UPHOLSTERY	137615	5/11/2021	#23 SEAT/CONSOLE RPR	341.00
						\$341.00
21	011101110	L.A. COUNTY SHERIFF'S DEPT.	137616	5/11/2021	MAR'21 LAW ENFORCEMNT	387.50
21	011101110		137616	5/11/2021	MAR'21 LAW ENFORCEMNT	16,768.33
21	011101110		137616	5/11/2021	MAR'21 LAW ENFORCEMNT	45,644.86
21	011101110		137616	5/11/2021	MAR'21 LAW ENFORCEMNT	398,184.96
						\$460,985.65
21	011401410	LARRY RODRIGUEZ	137631	5/11/2021	APR'21 PC MEETING	150.00
						\$150.00
21	011601620	LBC LIGHTING	137617	5/11/2021	RECESS LIGHTING TRIM	170.94
						\$170.94
21	011401410	LEONEL A. BARRERA JR	137618	5/11/2021	APR'21 PC MEETING	150.00
						\$150.00
21	011401440	MAIQUES INSPECTION SERVICE	137619	5/11/2021	APR'21 INSPECTION SVC	5,682.66
						\$5,682.66
21	011601670	MISSION FENCE & PATIO BUILDERS	137620	5/11/2021	CHAIN LINK TOP RAIL	97.74
						\$97.74
21	011701770	MODERN TRAILER SUPPLY CO.	137621	5/11/2021	TRAILER#2/PART RPLC	128.04
						\$128.04
21	011511543	MOTION PICTURE LICENSING CORP.	137622	5/11/2021	JAN'21-JUL'22 LICENSE	892.06
						\$892.06
21	011701770	NAPAAUTO PARTS	137623	5/11/2021	#11 FILTER/ALTERNATOR	302.51
21	448008010		137623	5/11/2021	#16 MINOR SVC/OIL/FIL	47.27
21	011701770		137623	5/11/2021	BS2 TRAILER/FLTER,OIL	57.53
21	011701770		137623	5/11/2021	#9 AIR & OIL FILTER	77.04
21	011701770		137623	5/11/2021	#22 OIL FILTER	8.83
21	011701770		137623	5/11/2021	GRINDER ENGINE OIL	12.08
						\$505.26
21	011601610	POST ALARM SYSTEMS	137625	5/11/2021	MAY'21 ALARM SVC CCTR	39.25
21	011601620		137625	5/11/2021	MAY'21 ALARM SVC SCTR	39.25
21	011601630		137625	5/11/2021	MAY'21 ALARM SVC MCTR	39.25
21	011601640		137625	5/11/2021	MAY'21 ALARM SVC AQUA	39.25
21	011601650		137625	5/11/2021	MAY'21 ALARM SVC NTP	39.25
21	011601670		137625	5/11/2021	MAY'21 ALARM SVC MVD	39.25
21	011701710		137625	5/11/2021	MAY'21 ALARM SVC CHAL	39.25
21	011701720		137625	5/11/2021	MAY'21 ALARM SVC YARD	39.25
						\$314.00
21	011501530	PROMOTIONAL DESIGN CONCEPTS, INC	137626	5/11/2021	OUTDOOR EVENT TENTS	463.05

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21	011501530	PROMOTIONAL DESIGN CONCEPTS, INC	137626	5/11/2021	OUTDOOR EVENT TENTS	463.05
						\$926.10
21	011701770	PUENTE HILLS FORD	137627	5/11/2021	2021 FORD F150 TRUCK	33,498.25
21	689009020		137627	5/11/2021	2021 FORD RANGER #411	28,090.65
						\$61,588.90
21	011601620	QUENCH USA, INC.	137628	5/11/2021	MAY'21 H2O SYS SCTR	55.42
						\$55.42
21	011701770	RAY'S OK TIRES INC.	137629	5/11/2021	TRACTOR FLAT TIRE RPR	100.51
						\$100.51
21	011501540	RED DOT UNIFORMS	137630	5/11/2021	STAFF UNIFORM POLOS	282.59
						\$282.59
21	011401410	RUBY YEPEZ	137646	5/11/2021	APR'21 PC MEETING	150.00
						\$150.00
21	011401410	RUDY BOJORQUEZ	137588	5/11/2021	APR'21 PC MEETING	150.00
						\$150.00
21	011601620	SAKAIDA NURSERY	137632	5/11/2021	PLANTS FOR PATIO/SCTR	391.17
						\$391.17
21	011601650	SHELDON EXTINGUISHER CO., INC	137633	5/11/2021	FIRE EXTINGUISHER MTN	73.50
21	011601620		137633	5/11/2021	FIRE EXTINGUISHER MTN	73.50
						\$147.00
21	011701710	SOCAL OFFICE TECHNOLOGIES	137634	5/11/2021	COPIER SUPPLIES	200.20
						\$200.20
21	011701760	SOUTHEAST CONSTRUCTION PRODUCT	137635	5/11/2021	BUS SHELTER RPR SUP	99.89
21	011701760		137635	5/11/2021	SAND FOR STORM	127.60
21	011701760		137635	5/11/2021	SAND/BAGS FOR STORM	179.85
21	011701760		137635	5/11/2021	ST CONCRETE SLAB RPR	52.86
21	011601650		137635	5/11/2021	STEEL SPIKE/NYLON ROP	59.02
21	011601660		137635	5/11/2021	MARK'G PAINT RETURN	-44.83
21	011601610		137635	5/11/2021	TILE REPAIR/CCTR	17.20
21	011601630		137635	5/11/2021	CONCRETE MIX FOR POLE	24.75
						\$516.34
21	011701740	SPRINT	137636	5/11/2021	3/12-4/11 CELLPHONE	43.14
21	011001040		137636	5/11/2021	3/12-4/11 CELLPHONE	57.63
21	011501530		137636	5/11/2021	3/12-4/11 CELLPHONE	111.30
21	011501540		137636	5/11/2021	3/12-4/11 CELLPHONE	162.07
21	011401100		137636	5/11/2021	3/12-4/11 CELLPHONE	177.70
21	011101110		137636	5/11/2021	3/12-4/11 CELLPHONE	262.47
21	011701750		137636	5/11/2021	3/12-4/11 CELLPHONE	263.13
21	448008010		137636	5/11/2021	3/12-4/11 CELLPHONE	511.60
21	011401440		137636	5/11/2021	3/12-4/11 CELLPHONE	71.25
						\$1,660.29
21	011701760	ST. FRANCIS ELECTRIC, LLC	137637	5/11/2021	MAR'21 MTNC TRAFFIC	771.00
21	011701760		137637	5/11/2021	TRAF SIG.RPLC S.A/CEN	1,373.50

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21	011701760	ST. FRANCIS ELECTRIC, LLC...	137637	5/11/2021	MAR'21 CALLOUT SIGNAL	2,295.00
						\$4,439.50
21	011701760	SUNBELT RENTALS, INC.	137638	5/11/2021	CONCRETE MIXER RENTAL	284.09
21	011701770		137638	5/11/2021	GAS CART RENTAL	642.62
						\$926.71
21	011601640	THE ILLINI COMPANIES, INC	137598	5/11/2021	4/5 CHEMICAL DELIVERY	116.58
21	011601640		137598	5/11/2021	3/10,17,24 CHEM DELIV	157.19
21	011601640		137598	5/11/2021	4/7 CHEMICAL DELIVERY	204.98
21	011601640		137598	5/11/2021	4/15 CHEMICAL DELIVER	233.17
21	011601640		137598	5/11/2021	CPR SIGNS	119.39
						\$831.31
21	011001040	THE SAUCE CREATIVE SERVICES CORP.	137639	5/11/2021	CLASS 2021 ST BANNER	1,874.00
21	011001040		137639	5/11/2021	MAY'21 NEWSLETTER	4,812.24
						\$6,686.24
21	011701710	TIME WARNER CABLE	137640	5/11/2021	4/16-5/15 CABLE SVCS	276.98
21	011301330		137640	5/11/2021	4/7-5/6 INTERNET SVCS	195.97
						\$472.95
21	011701760	VULCAN MATERIALS COMPANY	137641	5/11/2021	ASPHALT FOR STREETS	555.48
21	011701760		137641	5/11/2021	ASPHALT 7.6 TONS	734.71
						\$1,290.19
21	011701710	WATER CHEMISTS,DIV. OF CCI CHEMICA	137642	5/11/2021	APR'21 H2O TREATMENT	200.00
						\$200.00
21	011701740	WAXIE SANITARY SUPPLY	137643	5/11/2021	JANITORIAL SUPPLIES	3,136.06
						\$3,136.06
21	011501530	WENDY CAYCO	137595	5/11/2021	EMERGCY TRAIN'G MILEA	42.26
						\$42.26
21	011501530	WINNER INTERNATIONAL INC.	137644	5/11/2021	BALLONS/GLITTER	148.90
21	011501530		137644	5/11/2021	BALLONS/GLITTER	87.43
						\$236.33
21	011701760	WINZER	137645	5/11/2021	GRAFFITI REMOVER	824.94
						\$824.94
21	448008010	ZOOM AUTO PARTS, INC	137647	5/11/2021	#26 RPLC 4 TIRE/ALIGN	600.00
						\$600.00

Report Total 675,473.52


City Manager
For Rachel



City Council Agenda Report

**Agenda
Item No.
7.c.**

DATE: May 11, 2021

TO: Honorable Mayor and Members of the City Council

APPROVED BY: Rachel Barbosa, City Manager

APPROVED AS TO FORM: Anthony R. Taylor, City Attorney

SUBMITTED BY: Colby Cataldi, Community Development Director

SUBJECT: CONSIDERATION AND APPROVAL OF 2021 FOURTH
OF JULY FIREWORKS STAND PERMITS

SUMMARY: Five nonprofits based within the City have filed applications to operate during this Fourth of July season from June 30-July 5.

RECOMMENDATION: Staff recommends City Council consider and file a request to allow for five firework stands which applications have been received in conjunction with the Fourth of July 2021. The Planning Division reviewed the applications and find that they meet the intent of Chapter 8.08 of the South El Monte Municipal Code.

FISCAL IMPACT: The City will generate \$125 per application; \$100 of the application fee is a refundable deposit that will be retained until the stands are satisfactorily removed. However, the \$100 deposit is forfeited and retained by the City in the event of noncompliance

DISCUSSION: For the Fourth of July, 2021 commemoration, the City received five applications. All five of the applicants have previously received approvals in the prior year. Below is the list of applicants for 2021:

1. Knights of Columbus #13011 (TNT)
2. Faith Tabernacle Men's Ministry (TNT)
3. South El Monte National Little League (TNT)
4. South El Monte High School Football (Phantom)
5. Bobby Salcedo Memorial Foundation (TNT)

For the 2021 Fourth of July celebration, fireworks may be sold and discharged between Wednesday, June 30th, 2021, and Monday, July 5th, 2021, inclusively. Section 8.08.050 of the Municipal Code states the City Council has the authority to grant up to eight fireworks stand permits per year to qualified organizations. Upon review of the five applications, Staff has determined that all five applications meet the required standards, and therefore qualify to receive a permit. With the advent of COVID-19, operations of retail businesses have been severely restricted to help cut down on physical interactions to help reduce the spread of the virus. Since fireworks sales require physical interaction between volunteers working the booths and the public purchasing fireworks, it is paramount that protocols be instituted to protect the volunteers and the public. Phantom has provided their protocols to be used by the operators of the booths to keep everyone safe; TNT will be providing their protocols at the end of May to conform with LA County Health orders for fireworks sales that have yet to be released. Safety is the City's top priority and the operations of the fireworks stands under these safety protocols should help keep the public safe. All additional information on this approval is on file with the Planning Division and may be viewed during operating hours.

Agenda Item Prepared By: Ian McAleese, Assistant Planner

ATTACHMENTS:

[Attachment A - Fireworks Stand Map](#)

[Attachment B - Phantom Protocols](#)

ATTACHMENT A

2021 Firework Stands Proposed Locations

1. Knights of Columbus #13011
1625 Santa Anita Ave
2. Faith Tabernacle Men's Ministries
2144 Tyler Ave
3. South El Monte National Little League
1533 Peck Rd
4. South El Monte High School Football
1858 Durfee Ave
5. Bobby Salcedo Memorial Foundation
1954 Durfee Ave

ATTACHMENT B

Phantom Fireworks Best Practices

Social Distancing & Sanitation

SIGNAGE

Post both inside and outside Fireworks Booth informing for stand volunteers and customers that they need to maintain a minimum six-foot distance from one another.

Post both Physical Distancing posters at a reasonable, safe distance in all directions, wherever possible. Remind people to be at least six feet apart, including when in line.



MEASURES TO KEEP PEOPLE AT LEAST SIX FEET APART

Placing tape or other temporary markings or indicators at least six feet apart in each customer line area outside the stand with signs directing customers to use these to maintain distance.

Post volunteers outside the stand to make sure customers maintain their six-foot distance

All volunteers in the stand will attempt to maintain a six-foot separation

Volunteers may momentarily come closer when necessary to accept payment, or to hand product to the customer.



THANK YOU!



Phantom Fireworks Best Practices

Social Distancing & Sanitation

MEASURES TO PROTECT VOLUNTEERS IN STANDS

The volunteer in charge, at any given time, will be responsible for checking that volunteers are symptom free before starting their shift in the stand.

All volunteers in the stand will attempt to maintain a six-foot separation.

All volunteers in the stand should wear protective masks.
. Provide such face coverings to volunteers if needed.

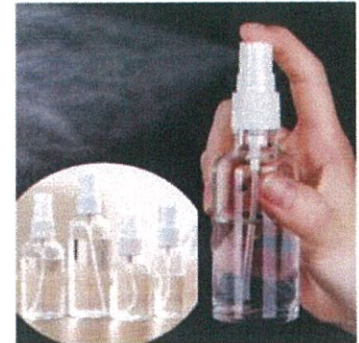
Disinfectants must be available for all volunteers at the beginning, during and at the conclusion of their shift.

Disinfecting all payment portals, pens, and styluses after each use.

Disinfecting all high-contact surfaces frequently.

Disinfectants must be available for all customers outside of stand

DISPOSABLE FACE MASK
Size: 100g, 175mm x 95mm, 3 ply



Additional Best Practices

Provide and encourage customers to use contactless payment methods, or, if not feasible, have the volunteers sanitize the payment system regularly.

Set up and staff an Express Order area outside the stand and at a distance from customers making their purchases at the stand that, using preprinted order forms, will assist a customer to complete a list of items he/she desires to purchase so when they are at the stand their interaction with the stand volunteers is minimized. Using the Express Order station outside the stand rather than perusing product in the stand.

THANK YOU!



PHANTOM FIREWORKS STAND PHYSICAL DISTANCING PROTOCOL

SIGNAGE

- Inside, out in front and on the outside of the stand informing the stand volunteers and customers that they should: avoid shopping at the stand if they have a cough or fever; maintain a minimum six-foot distance from one another; do not shake hands or engage in any unnecessary contact; and where required or requested wear a face covering while shopping at the stand.
- Post Physical Distancing Protocol at a reasonable, safe distance in all directions, wherever possible.

MEASURES TO PROTECT VOLUNTEERS IN STANDS

- All volunteers must be told they should not work in the stand if they are sick, have a cough or a fever.
- The volunteer in charge, at any given time, will be responsible for checking that volunteers are symptom free before starting their shift in the stand.
- All volunteers in the stand will attempt to maintain a six-foot separation.
- Disinfectants must be available for all volunteers at the beginning, during and at the conclusion of their shift.
- Hand sanitizer effective against COVID-19 is available to all volunteers and customers.

MEASURES TO PREVENT CROWD GATHERING

- Post volunteers outside the stand to make sure customers maintain their six-foot separations, use the Express Order station outside the stand rather than perusing product in the stand, and are complying with all local health restrictions, like face coverings, etc.
- Set up an Express Order line, where possible, that allows expedited transactions by people who have already decided what they want to buy.

MEASURES TO KEEP PEOPLE AT LEAST SIX FEET APART

- Placing signs outside the stand reminding people to be at least six feet apart, including when in line.
- Placing tape or other temporary markings or indicators at least six feet apart in each customer line area outside the stand with signs directing customers to use these to maintain distance.
- All volunteers have been instructed to maintain at least a six-foot distance from customers and each other, except volunteers may momentarily come closer when necessary to accept payment, order their fireworks, or as otherwise necessary.

MEASURES TO PREVENT UNNECESSARY CONTACT

- Provide and encourage customers to use contactless payment methods, or, if not feasible, have the volunteers sanitize the payment system regularly.
- Provide a special purchase line for seniors, first responders and health care workers, where possible.
- Instruct volunteers to wear disposable plastic gloves while in the stand and to change them frequently.

- Encourage volunteers to wear face coverings that cover the nose and mouth when in the stand. Where required by local mandate, require all volunteers to wear face covering when in the stand. Provide such face coverings to volunteers if needed.
- Set up and man an Express Order area outside the stand and at a distance from customers making their purchases at the stand, that, using a phone app and preprinted order forms, will assist a customer to complete a list of items he/she desires to purchase so when they are at the stand their interaction with the stand volunteers is minimized.

MEASURES TO INCREASE SANITIZATION

- Disinfecting wipes that are effective against COVID-19 are available in the stand.
- Hand sanitizer is available to the volunteers and the customers at the stand, at the Express Order area, and anywhere else inside the stand or immediately outside where people have direct interaction.
- Disinfecting all payment portals, pens, and styluses after each use.
- Disinfecting all high-contact surfaces frequently.
- Instruct volunteers to wear disposable plastic gloves while in the stand and to change them frequently.

You may contact the following person with any questions or comments about this Protocol:

CONTACT NAME: _____ CONTACT PHONE: _____



City Council Agenda Report

**Agenda
Item No.
7.d.**

DATE: May 11, 2021

TO: Honorable Mayor and Members of the City Council

APPROVED BY: Rachel Barbosa, City Manager

APPROVED AS TO FORM: Anthony R. Taylor, City Attorney

SUBMITTED BY: Colby Cataldi, Community Development Director

SUBJECT: CONSIDERATION OF RESOLUTION NO. 21-26,
APPROVING AN AMENDMENT TO THE AGREEMENT
WITH KIMLEY-HORN AND ASSOCIATES, INC. FOR
CEQA RELATED SERVICES

SUMMARY: The California Environmental Quality Act (CEQA) analysis began in November 2020 for the Mye Plaza Mixed Use Development. At this time, its now necessary to conduct further CEQA analysis that were identified as optional tasks in the Kimley-Horn Agreement. These tasks must be performed before the final documents can be adopted, and an additional \$21,500 is required to perform these tasks.

RECOMMENDATION: Staff recommends City Council adopt Resolution No. 21-26, approving an amendment to an existing agreement with Kimley-Horn for conducting an environmental review of the Project pursuant to CEQA, for an additional amount not to exceed \$21,500.

FISCAL IMPACT: The \$21,500 will be paid by the applicant of the project, so minimal cost will be incurred by the City in managing the CEQA analysis. City Council originally approved an agreement with Kimley-Horn in an amount of \$86,550. With the two optional tasks being added, this amendment will increase the contract amount to a total of \$108,050.

DISCUSSION: On October 27, 2020 City Council originally approved an agreement with Kimley-Horn to perform CEQA analysis for the Mye Plaza Mixed Use Development in an amount of \$86,550. With the two optional tasks being added, this amendment will increase the contract amount to a total of \$108,050.

The City has limited internal capacity to process complex CEQA documents, and for larger projects that require a MND or an Environmental Impact Report (EIR), it is necessary to contract with a company that specializes in CEQA processes and reporting. The CEQA analysis for the Project will be fully paid for by the applicant, with the City owning the final product and acting as the lead agency. Resolution 21-26 will authorize the City Manager or her designee to execute a change order with Kimley-Horn to conduct additional tasks during the CEQA analysis which shall include Health Risk Assessment and Quantitative VMT analysis.

Staff report prepared by Ian McAleese, Assistant Planner.

ATTACHMENTS:

[Attachment A - Resolution No. 21-26](#)

[Attachment B - Mye Plaza Change Order](#)

[Attachment C - Contract Amendment](#)

ATTACHMENT A

RESOLUTION NO. 21-26

A RESOLUTION OF THE SOUTH EL MONTE CITY COUNCIL
AUTHORIZING THE CITY TO EXECUTE A CHANGE ORDER WITH
KIMLEY HORN AND ASSOCIATES FOR CEQA ANALYSIS SERVICES

WHEREAS, the City of South El Monte currently has an executed contract for environmental services for the Mye Plaza Mixed Use Project, which cannot be handled by City staff; and

WHEREAS, the City seeks to execute and change order with Kimley-Horn and Associates, Inc., in an amount not to exceed \$21,500, for additional CEQA analysis services and the drafting of the resulting CEQA documentation; and

WHEREAS, the City Council now wishes to authorize the City Manager to execute a change order with Kimley-Horn and Associates, Inc., for such services.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOUTH EL MONTE AS FOLLOWS:

Section 1. The City Council hereby authorizes the City Manager, or her designee, to execute a change order with Kimley-Horn and Associates, Inc., in an amount not to exceed \$21,500 and subject to approval as to form and content by the City Attorney's Office.

PASSED, APPROVED AND ADOPTED this 11th day of May 2021.

Gloria Olmos, Mayor

ATTEST:

Donna G. Schwartz, City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF SOUTH EL MONTE)

I, Donna G. Schwartz, City Clerk of the City of South El Monte, do hereby certify that the foregoing Resolution, being Resolution No. 21-26 was duly passed and approved by the City Council of the City of South El Monte at a regular meeting of said City Council held on the 11th day of May, 2021 and that said Resolution was adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Donna G. Schwartz, City Clerk

ATTACHMENT B

SECTION 00850 – CONTRACT CHANGE ORDER**Change OrderNo. 01**Date of Issuance: 03/03/21Effective Date: 03/03/21

Project: Mye Plaza Mixed-Use	Client: City of South El Monte	Client Contract Number:
Contractor: Kimley-Horn and Associates, Inc.		Date of Contract: 10/27/20
Contractor:		Consultant's Project No.: 194325001.3

The Contract Documents are modified as follows upon execution of this Change Order:

Kimley-Horn will complete the following: Health Risk Assessment and Quantitative VMT analysis; see Attachment A: Scope of Work and Fee.

Attachments (list documents supporting change):

Attachment A: Scope of Work and Fee.

CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIMES:	
Original Contract Price: \$ <u>86,550.00</u>	Original Contract Times: ☐ Working days ☒ Calendar days Substantial completion (days or date): <u>~8 mos.</u> Ready for final payment (days or date): _____	
Change Order Amount: \$ <u>21,500.00</u>	Additional worked required due to the necessity for quantitative VMT analysis as well as additional study intersections and counts for LOS study. See attachment A for more details.	
Contract Price incorporating this Change Order: \$ <u>\$108,050</u>	Contract Times with all approved Change Orders: Substantial completion (days or date): <u>~3-4 weeks</u> Ready for final payment (days or date): _____	
RECOMMENDED: By: <u></u> Consultant (Authorized Signature) Date: 3/3/2021 _____ Approved by Funding Agency (if applicable): _____	ACCEPTED: By: _____ Client (Authorized Signature) Date: _____	ACCEPTED: By: _____ Contractor (Authorized) Date: _____ Date: _____

END OF SECTION



ATTACHMENT A: SCOPE OF WORK & FEE

To: Ian McAleese, City of South El Monte
From: Brian Leung
Date: March 3, 2021
Subject: Mye Plaza Mixed-Use Project
Change Order #1

This Change Order (CO) has been prepared at Client's request for services concerning the CEQA documentation and associated technical studies for the Mye Plaza Mixed-Use Project ("Project"). Client has directed Kimley Horn to complete out-of-scope deliverables/tasks. These tasks will require further coordination with City, Client, and their team.

Air Quality - Health Risk Assessment: In consultation with City Staff, preparation of a Health Risk Assessment (HRA) was deemed necessary given the Project site's proximity to Rosemead Boulevard/SR-164. The Applicant team authorized a HRA via David Gutierrez's 11/25/20 email. Therefore, Kimley-Horn will complete the tasks presented below for the Project's HRA:

- The Project would locate sensitive receptors (residences) adjacent to Rosemead Boulevard/SR-164, which is considered a source of toxic air contaminants (TACs). Health risk impacts from potential Project-related TACs will be addressed based on the project's proximity to the roadway and the potential level of exposure. Operational DPM emissions from SR-164 will be quantified based Caltrans traffic volume data and CARB mobile source emissions factors (EMFAC). PM₁₀ emissions will be conservatively used as a proxy for DPM.
- Concentrations will be projected at the nearest sensitive receptors using the U.S. EPA AERMOD dispersion modeling software. The modeling will be conducted in accordance with the SCAQMD Modeling Guidance for AERMOD.
- The modeled concentrations will be used to estimate any increased cancer risk and health hazard, as described in California Office of Health Hazard Assessment (OEHHA) *Air Toxics Hot Spots Program Risk Assessment Guidelines - The Air Toxics Hot Spot Program Guidance Manual for Preparation of Health Risk Assessment* and the CARB Risk Assessment Standalone Tool.
- The assessment will present background information on DPM and its health risks, the modeling assumptions and methodology, and the analysis results. If necessary,

recommendations for design features or buffer distances to reduce health risk impacts will be identified.

Assumptions/Limitations

- This scope accommodates revisions based on one consolidated set of City comments. Additional comments can be addressed on a time and materials basis.
- An operational health risk assessment from proposed onsite uses is excluded, as the proposed residences are not a land use that generates toxic air contaminants such as DPM during Project operations.
- This scope excludes meetings/hearings.

Fee: \$8,500 (consistent with the August 17, 2020 Proposal Health Risk Assessment Optional Task)

Transportation: Based on the latest Project updates, Kimley Horn is finalizing the Project's LOS and VMT analyses. These analyses required completion of out-of-scope tasks specifically concerning additional study intersections and a quantified VMT analysis. In the meetings following the initial November 2020 kick off, the City and traffic consultant (Jana Robins) agreed to additional study intersections (increase of 2 study intersections) for the LOS analysis, as well as a quantitative VMT analysis. Kimley-Horn August 17, 2020 Proposal assumed a qualitative VMT analysis, however, the Project's commercial component failed to meet the screening criteria. Therefore, Kimley-Horn has completed the tasks presented below for the Project's VMT analysis:

- Obtained a copy of the latest SCAG model for the Base Year 2012 and Future Year 2040 and verified based VMT thresholds for a consistent analysis.
- Updated model input data to reflect land use for the proposed Project and conducted VMT analysis by land use type for the Traffic Analysis Zone (TAZ) that includes the Project.
- Evaluated resultant VMT with an efficiency matrix by land use type against the City's thresholds.
- Presented total VMT to the City as a metric, Given the Project's mixed-use nature and inclusion of land uses that are normally not evaluated with an efficiency metric.
- Included the following scenarios in the VMT analysis: Existing; and Existing plus Project.
- Reviewed future 2040 model and verified the Project inclusion in the SCAG 2016 RTP/SCS.
- Identified a framework of Transportation Demand Measures (TDM) or infrastructure improvements to mitigate VMT impacts.
- Conducted standing Project update meetings with the City's engineering and planning departments over the course of the analysis.
- Prepared a VMT technical memorandum (TM) for inclusion in the CEQA document. The TM includes methods and results of the analyses performed.
- Obtained updated traffic counts per City Traffic Consultant direction.

Fee: \$12,000 (increase of \$2,000 , as compared to the original cost of \$10,000 in the August 17, 2020 Proposal Quantitative VMT Optional Task)

Fee: \$1,000 (increase of \$1,000, as compared to the original cost of \$26,500 in the August 17, 2020 Proposal VMT Initial Screening and LOS Task for the cost of obtaining additional study intersections counts)

Total Change Order Fee: \$21,500.00

ATTACHMENT C

AMENDMENT NO. 1

TO AGREEMENT FOR CONTRACTUAL SERVICES

THIS AMENDMENT TO THE AGREEMENT FOR CONTRACTUAL SERVICES (“Amendment”) by and between the **CITY OF SOUTH EL MONTE** (“City”) and **Kimley-Horn and Associates, Inc.**, a North Carolina Corporation (“Consultant”) is effective as of the 11th day of May, 2021.

RECITALS

A. City and Consultant entered into that certain Agreement for Contractual Services dated October 27, 2020 (“Agreement”) whereby Contractor agreed to provide Environmental Analysis Services.

B. City and Consultant now desire to amend the Agreement to include Vehicle Miles Traveled (VMT) quantitative analysis, Health Risk Assessment, and adding one extra sampling intersection for analysis.

TERMS

1. **Contract Changes.** The Agreement is amended as provided herein. Deleted text is indicated in ~~strikethrough~~ and added text in ***bold italics***.

a. Section 2.1, “Contract Sum,” is hereby amended and shall now read as follows:

“2.1 Contract Sum.

Subject to any limitations set forth in this Agreement, City agrees to pay Consultant the amounts specified in the “Schedule of Compensation” attached hereto as Exhibit “C” and incorporated herein by this reference. The total compensation, including reimbursement for actual expenses, shall not exceed ~~Eighty Six Thousand Five Hundred and Fifty Dollars (\$86,550.00)~~ ***One Hundred Eight Thousand Fifty Dollars (\$108,050)*** (the “Contract Sum”), unless additional compensation is approved pursuant to Section 1.9.”

b. Section I of Exhibit C “Schedule of Compensation” is hereby amended and shall now read as follows:

“Consultant shall perform the following tasks at the following rates:

	TASK	BUDGET
A.	Task 1	\$3,500
B.	Task 2	\$68,250 \$89,750
C.	Task 3	\$5,300
D.	Task 4	\$7,000
	Office Expenses, Document Reproduction, Deliveries, Fees*	\$2,500
	Total	\$86,550.00 \$108,050"

2. **Continuing Effect of Agreement.** Except as amended by this Amendment, all provisions of the Agreement shall remain unchanged and in full force and effect. From and after the date of this Amendment, whenever the term "Agreement" appears in the Agreement, it shall mean the Agreement, as amended by this Amendment to the Agreement.

3. **Affirmation of Agreement; Warranty Re Absence of Defaults.** City and Consultant each ratify and reaffirm each and every one of the respective rights and obligations arising under the Agreement. Each party represents and warrants to the other that there have been no written or oral modifications to the Agreement other than as provided herein. Each party represents and warrants to the other that the Agreement is currently an effective, valid, and binding obligation.

Consultant represents and warrants to City that, as of the date of this Amendment, City is not in default of any material term of the Agreement and that there have been no events that, with the passing of time or the giving of notice, or both, would constitute a material default under the Agreement.

City represents and warrants to Consultant that, as of the date of this Amendment, Consultant is not in default of any material term of the Agreement and that there have been no events that, with the passing of time or the giving of notice, or both, would constitute a material default under the Agreement.

4. **Adequate Consideration.** The parties hereto irrevocably stipulate and agree that they have each received adequate and independent consideration for the performance of the obligations they have undertaken pursuant to this Amendment.

5. **Authority.** The persons executing this Amendment on behalf of the parties hereto warrant that (i) such party is duly organized and existing, (ii) they are duly authorized to execute and deliver this Amendment on behalf of said party, (iii) by so executing this Amendment, such

party is formally bound to the provisions of this Amendment , and (iv) the entering into this Amendment does not violate any provision of any other agreement to which said party is bound.

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date and year first-above written.

CITY:

CITY OF SOUTH EL MONTE, a municipal corporation

Mayor/ City Manager

ATTEST:

Donna G. Schwartz, City Clerk

APPROVED AS TO FORM:

ALESHIRE & WYNDER, LLP

Anthony R. Taylor, City Attorney

CONTRACTOR:

CONSULTANT

By: _____
Name: Brian Gillis
Title: V.P.

By: _____

Address:
1100 W Town and Country Road, Suite 700
Orange, CA 92868

Two corporate officer signatures required when Contractor is a corporation, with one signature required from each of the following groups: 1) Chairman of the Board, President or any Vice President; and 2) Secretary, any Assistant Secretary, Chief Financial Officer or any Assistant Treasurer. CONTRACTOR'S SIGNATURES SHALL BE DULY NOTARIZED, AND APPROPRIATE ATTESTATIONS SHALL BE INCLUDED AS MAY BE REQUIRED BY THE BYLAWS, ARTICLES OF INCORPORATION, OR OTHER RULES OR REGULATIONS APPLICABLE TO CONTRACTOR'S BUSINESS ENTITY.

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy or validity of that document.

STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

On _____, 2021 before me, _____, personally appeared _____, proved to me on the basis of satisfactory evidence to be the person(s) whose names(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: _____

OPTIONAL

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form.

CAPACITY CLAIMED BY SIGNER

☐ INDIVIDUAL
☐ CORPORATE OFFICER

TITLE(S)

☐ PARTNER(S) ☐ LIMITED
☐ GENERAL

☐ ATTORNEY-IN-FACT

☐ TRUSTEE(S)

☐ GUARDIAN/CONSERVATOR

☐ OTHER _____

DESCRIPTION OF ATTACHED DOCUMENT

TITLE OR TYPE OF DOCUMENT

NUMBER OF PAGES

DATE OF DOCUMENT

SIGNER IS REPRESENTING:

(NAME OF PERSON(S) OR ENTITY(IES))

SIGNER(S) OTHER THAN NAMED ABOVE

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy or validity of that document.

STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

On _____, 2021 before me, _____, personally appeared _____, proved to me on the basis of satisfactory evidence to be the person(s) whose names(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: _____

OPTIONAL

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☐ INDIVIDUAL
☐ CORPORATE OFFICER

TITLE(S)

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☐ ATTORNEY-IN-FACT

☐ TRUSTEE(S)

☐ GUARDIAN/CONSERVATOR

☐ OTHER _____

DESCRIPTION OF ATTACHED DOCUMENT

TITLE OR TYPE OF DOCUMENT

NUMBER OF PAGES

DATE OF DOCUMENT

SIGNER IS REPRESENTING:

(NAME OF PERSON(S) OR ENTITY(IES))

SIGNER(S) OTHER THAN NAMED ABOVE



City Council Agenda Report

**Agenda
Item No.
9.a.**

DATE: May 11, 2021

TO: Honorable Mayor and Members of the City Council

APPROVED BY: Rachel Barbosa, City Manager

APPROVED AS TO FORM: Anthony R. Taylor, City Attorney

SUBMITTED BY: Colby Cataldi, Community Development Director

SUBJECT: DISCUSSION TO REVIEW THE DRAFT ORGANIC WASTE DISPOSAL REDUCTION ORDINANCE TO COMPLY WITH SENATE BILL 1383, RESPOND TO COUNCIL'S REQUEST FOR SOLUTIONS TO ADDRESS CITYWIDE ILLEGAL DUMPING ISSUES AND INTRODUCE OPTIONS FOR AMENDED WASTE AND RECYCLING SERVICES AND CUSTOMER RATES

SUMMARY: The California Integrated Waste Management Act of 1989 (the "Act") established a solid waste management process that requires local jurisdictions to adopt and implement plans to reduce the amount of solid waste generated within their jurisdictions and to maximize reuse and recycling.

Assembly Bill (AB) 1826 and Senate Bill (SB) 1383 amended the Act to include provisions regarding organic waste recycling, and AB 341 amended the Act to, among other things, to require commercial waste generators to arrange for recycling services. The City's current Municipal Code provisions concerning solid waste management, most of which have not been updated since 1994, are out of date and lack many of the provisions required by the Act and recent legislation.

Today's discussion is to review the draft Organic Waste Disposal Reduction Ordinance to comply with SB 1383, respond to Council's request for solutions to address citywide illegal dumping issues and introduce options for amended waste/recycling services and customer rates.

RECOMMENDATION: Council to receive a presentation from Community Development Director Colby Cataldi and Athens Services, engage in a dialogue, ask questions, and provide feedback and/or direction to staff.

FISCAL IMPACT: No fiscal impact.

DISCUSSION: Senate Bill 1383 regulations require that jurisdictions conduct education and outreach on organics recycling to all residents, businesses (including those that generate edible food that can be donated) haulers, solid waste facilities, and local food banks and other food recovery organizations.

SB 1383 established methane emission reduction targets in a statewide effort to reduce emissions of short-lived climate pollutants (SLCP) in various sectors of California's economy. Actions to reduce short-live climate pollutants are essential to address the many impacts of climate change on human health, especially in California's most at-risk communities, and the environment.

Methane emissions resulting from the decomposition of organic waste in landfills are a significant source of GHG emissions contributing to global climate change. Organic materials, including waste that can be readily prevented, recycled, or composted, account for a significant portion of California's overall waste stream. Food waste alone accounts for approximately 17-18 percent of total landfill disposal. Reducing food waste, encouraging edible food rescue, and expanding the composting and in-vessel digestion of organic waste throughout the state will help reduce methane emissions from organic waste disposed in California's landfills. In addition, compost has numerous benefits including water conservation, improved soil health, and carbon sequestration. Anaerobic digestion (AD) produces biogas that can be used to create electricity or renewable transportation fuels. Furthermore, in California one out of eight people, including one out of five children, are food insecure. Edible food recovery has the added benefit of assisting Californians who are unable to secure adequate, healthy food by diverting edible food to food recovery organization like food banks and pantries. SB 1383 establishes a target of 50 percent reduction in the level of statewide organic waste disposal from the 2014 level by 2020 and increases this reduction requirement to 75 percent of the 2014 level for 2025. The law grants CalRecycle the regulatory authority required to achieve the organic waste disposal reduction targets and establishes an additional target that not less than 20 percent of the edible food that is estimated to be disposed is recovered for human consumption by 2025.

SB 1383 will eventually require the adoption of a new solid waste ordinance. A sample ordinance based upon model language from the State is attached hereto for illustrative purposes only.

ATTACHMENTS:

[Attachment A - Draft Organic Waste Disposal Reduction Ordinance](#)

Chapter ____ - ORGANIC WASTE DISPOSAL REDUCTION

____.010 - Purpose and findings.

The City finds and declares:

- A. State recycling law, Assembly Bill 939 of 1989, the California Integrated Waste Management Act of 1989 (California Public Resources Code Section 40000, et seq., as amended, supplemented, superseded, and replaced from time to time), requires cities and counties to reduce, reuse, and recycle (including composting) Solid Waste generated in their cities to the maximum extent feasible before any incineration or landfill disposal of waste, to conserve water, energy, and other natural resources, and to protect the environment.
- B. State recycling law, Assembly Bill 341 of 2011 (approved by the Governor of the State of California on October 5, 2011, which amended Sections 41730, 41731, 41734, 41735, 41736, 41800, 42926, 44004, and 50001 of, and added Sections 40004, 41734.5, and 41780.01 and Chapter 12.8 (commencing with Section 42649) to Part 3 of Division 30 of, and added and repealed Section 41780.02 of, the Public Resources Code, as amended, supplemented, superseded and replaced from time to time), places requirements on businesses and Multi-Family property owners that generate a specified threshold amount of Solid Waste to arrange for recycling services and requires cities to implement a Mandatory Commercial Recycling program.
- C. State organics recycling law, Assembly Bill 1826 of 2014 (approved by the Governor of the State of California on September 28, 2014, which added Chapter 12.9 (commencing with Section 42649.8) to Part 3 of Division 30 of the Public Resources Code, relating to Solid Waste, as amended, supplemented, superseded, and replaced from time to time), requires businesses and Multi-Family property owners that generate a specified threshold amount of Solid Waste, Recycling, and Organic Waste per week to arrange for recycling services for that waste, requires cities to implement a recycling program to divert Organic Waste from businesses subject to the law, and requires cities to implement a Mandatory Commercial Organics Recycling program.
- D. SB 1383, the Short-lived Climate Pollutant Reduction Act of 2016, requires CalRecycle to develop regulations to reduce organics in landfills as a source of methane. The regulations place requirements on multiple entities including cities, residential households, Commercial Businesses and business owners, Commercial Edible Food Generators, haulers, Self-Haulers, Food Recovery Organizations, and Food Recovery Services to support achievement of Statewide Organic Waste disposal reduction targets.

- E. SB 1383, the Short-lived Climate Pollutant Reduction Act of 2016, requires cities to adopt and enforce an ordinance or enforceable mechanism to implement relevant provisions of SB 1383 Regulations. This ordinance will also help reduce food insecurity by requiring Commercial Edible Food Generators to arrange to have the maximum amount of their Edible Food, that would otherwise be disposed, be recovered for human consumption.

___.020 – Title of ordinance.

This chapter shall be entitled “Organic Waste Disposal Reduction”.

___.030 – Definitions.

- A. “Black Container” has the same meaning as in 14 CCR Section 18982.2(a)(28) and shall be used for the purpose of storage and collection of Black Container Waste.
- B. “Black Container Waste” means Solid Waste that is collected in a Black Container that is part of a three-container Organic Waste collection service that prohibits the placement of Organic Waste in the Black Container as specified in 14 CCR Sections 18984.1(a) and (b), or as otherwise defined in 14 CCR Section 17402(a)(6.5).
- C. “Blue Container” has the same meaning as in 14 CCR Section 18982.2(a)(5) and shall be used for the purpose of storage and collection of Source Separated Recyclable Materials.
- D. “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.
- E. “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).
- F. “City” means the City of _____, California, within its jurisdictional boundaries.
- G. “City Enforcement Official” means the city manager or their authorized Designee(s) who is/are partially or whole responsible for enforcing the ordinance.
- H. “Commercial Business” or “Commercial” means a firm, partnership, proprietorship, joint-stock company, corporation, or association, whether for-profit or nonprofit, strip mall, industrial facility, or a multifamily residential dwelling, or as otherwise defined in 14 CCR Section 18982(a)(6). A Multi-Family

Residential Dwelling that consists of fewer than five (5) units is not a Commercial Business for purposes of implementing this ordinance.

- I. “Commercial Edible Food Generator” includes a Tier One or a Tier Two Commercial Edible Food Generator as defined in Sections _____.030(PPP) and _____.3(QQQ) of this ordinance 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).
- J. “Compliance Review” means a review of records by a City to determine compliance with this ordinance.
- K. “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 Section 17855(a)(4); or, as otherwise defined by 14 CCR Section 18982(a)(8).
- L. “Compost” has the same meaning as in 14 CCR Section 17896.2(a)(4), which stated, as of the effective date of this ordinance, that “Compost” means the product resulting from the controlled biological decomposition of organic Solid Wastes that are Source Separated from the municipal Solid Waste stream, or which are separated at a centralized facility.
- M. “Compostable Plastics” or “Compostable Plastic” means plastic materials that meet the ASTM D6400 standard for compostability, or as otherwise described in 14 CCR Section 18984.1(a)(1)(A) or 18984.2(a)(1)(C).
- N. “Container Contamination” or “Contaminated Container” means a container, regardless of color, that contains Prohibited Container Contaminants, or as otherwise defined in 14 CCR Section 18982(a)(55).
- O. “C&D” means construction and demolition debris.
- P. “Designated Source Separated Organic Waste Facility”, as defined in 14 CCR Section 18982(14.5), means a Solid Waste facility that accepts a Source Separated Organic Waste collection stream as defined in 14 CCR Section 17402(a)(26.6) and complies with one of the following:
 - 1. The facility is a “transfer/processor,” as defined in 14 CCR Section 18815.2(a)(62), that is in compliance with the reporting requirements of 14 CCR Section 18815.5(d), and meets or exceeds an annual average Source Separated organic content Recovery rate of 50 percent between January 1, 2022 and December 31, 2024 and 75 percent on and after January 1, 2025 as calculated pursuant to 14 CCR Section 18815.5(f) for

Organic Waste received from the Source Separated Organic Waste collection stream.

- a. If a transfer/processor has an annual average Source Separated organic content Recovery rate lower than the rate required in Paragraph 1 of this definition for two (2) consecutive reporting periods, or three (3) reporting periods within three (3) years, the facility shall not qualify as a “Designated Source Separated Organic Waste Facility”.
- 2. The facility is a “composting operation” or “composting facility” as defined in 14 CCR Section 18815.2(a)(13), that pursuant to the reports submitted under 14 CCR Section 18815.7 demonstrates that the percent of the material removed for landfill disposal that is Organic Waste is less than the percent specified in 14 CCR Section 17409.5.8(c)(2) or 17409.5.8(c)(3), whichever is applicable, and, if applicable, complies with the digestate handling requirements specified in 14 CCR Section 17896.5.
- Q. “Designee” means an entity that a City contracts with or otherwise arranges to carry out any of the City’s responsibilities of this ordinance as authorized in 14 CCR Section 18981.2. A Designee may be a government entity, a hauler, a private entity, or a combination of those entities.
- R. “Edible Food” means food intended for human consumption, or as otherwise defined in 14 CCR Section 18982(a)(18). For the purposes of this ordinance or as otherwise defined in 14 CCR Section 18982(a)(18), “Edible Food” is not Solid Waste if it is recovered and not discarded. Nothing in this ordinance or in 14 CCR, Division 7, Chapter 12 requires or authorizes the Recovery of Edible Food that does not meet the food safety requirements of the California Retail Food Code.
- S. “Enforcement Action” means an action of the City to address non-compliance with this ordinance including, but not limited to, issuing administrative citations, fines, penalties, or using other remedies.
- T. “Excluded Waste” means hazardous substance, hazardous waste, infectious waste, designated waste, volatile, corrosive, medical waste, infectious, regulated radioactive waste, and toxic substances or material that facility operator(s), which receive materials from the City and its generators, reasonably believe(s) would, as a result of or upon acceptance, transfer, processing, or disposal, be a violation of local, State, or Federal law, regulation, or ordinance, including: land use restrictions or conditions, waste that cannot be disposed of in Class III landfills or accepted at the facility by permit conditions, waste that in City’s, or its Designee’s reasonable opinion would present a significant risk to human health or the environment, cause a nuisance or otherwise create or expose City, or its Designee, to potential liability; but not including de minimis volumes or

concentrations of waste of a type and amount normally found in Single-Family or Multi-Family Solid Waste after implementation of programs for the safe collection, processing, recycling, treatment, and disposal of batteries and paint in compliance with Sections 41500 and 41802 of the California Public Resources Code.

- U. “Food Distributor” means a company that distributes food to entities including, but not limited to, Supermarkets and Grocery Stores, or as otherwise defined in 14 CCR Section 18982(a)(22).
- V. “Food Facility” has the same meaning as in Section 113789 of the Health and Safety Code.
- W. “Food Recovery” means actions to collect and distribute food for human consumption that otherwise would be disposed, or as otherwise defined in 14 CCR Section 18982(a)(24).
- X. “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 Section 18982(a)(25), including, but not limited to:
 - 1. A food bank as defined in Section 113783 of the Health and Safety Code;
 - 2. A nonprofit charitable organization as defined in Section 113841 of the Health and Safety code; and,
 - 3. A nonprofit charitable temporary food facility as defined in Section 113842 of the Health and Safety Code.

A Food Recovery Organization is not a Commercial Edible Food Generator for the purposes of this ordinance and implementation of 14 CCR, Division 7, Chapter 12 pursuant to 14 CCR Section 18982(a)(7).

If the definition in 14 CCR Section 18982(a)(25) for Food Recovery Organization differs from this definition, the definition in 14 CCR Section 18982(a)(25) shall apply to this ordinance.

- Y. “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 Section 18982(a)(26). A Food Recovery Service is not a Commercial Edible Food Generator for the purposes of this ordinance and implementation of 14 CCR, Division 7, Chapter 12 pursuant to 14 CCR Section 18982(a)(7).

- Z. “Food Scraps” means all food such as, but not limited to, fruits, vegetables, meat, poultry, seafood, shellfish, bones, rice, beans, pasta, bread, cheese, and eggshells. Food Scraps excludes fats, oils, and grease when such materials are Source Separated from other Food Scraps.
- AA. “Food Service Provider” means an entity primarily engaged in providing food services to institutional, governmental, Commercial, or industrial locations of others based on contractual arrangements with these types of organizations, or as otherwise defined in 14 CCR Section 18982(a)(27).
- BB. “Food-Soiled Paper” is compostable paper material that has come in contact with food or liquid, such as, but not limited to, compostable paper plates, paper coffee cups, napkins, pizza boxes, and milk cartons.
- CC. “Food Waste” means Food Scraps, Food-Soiled Paper, and 100% fiber-based compostable dinnerware.
- DD. “Green Container” has the same meaning as in 14 CCR Section 18982.2(a)(29) and shall be used for the purpose of storage and collection of Source Separated Green Container Organic Waste.
- EE. “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 Section 18982(a)(30).
- FF. “Hauler Route” means the designated itinerary or sequence of stops for each segment of the City’s collection service area, or as otherwise defined in 14 CCR Section 18982(a)(31.5).
- GG. “High Diversion Organic Waste Processing Facility” means a facility that is in compliance with the reporting requirements of 14 CCR Section 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 Section 18815.5(e) for Organic Waste received from the “Mixed waste organic collection stream” as defined in 14 CCR Section 17402(a)(11.5); or, as otherwise defined in 14 CCR Section 18982(a)(33).
- HH. “Inspection” means a site visit where a 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 ordinance, or as otherwise defined in 14 CCR Section 18982(a)(35).

- II. “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. If the definition in 14 CCR Section 18982(a)(38) differs from this definition, the definition in 14 CCR Section 18982(a)(38) shall apply to this ordinance.
- JJ. “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. For purposes of this ordinance and implementation of 14 CCR, Division 7, Chapter 12, 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. For purposes of this ordinance and implementation of 14 CCR, Division 7, Chapter 12, 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. If the definition in 14 CCR Section 18982(a)(39) differs from this definition, the definition in 14 CCR Section 18982(a)(39) shall apply to this ordinance.
- KK. “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 Section 18982(a)(40).
- LL. “Multi-Family Residential Dwelling” or “Multi-Family” means of, from, or pertaining to residential premises with five (5) or more dwelling units. Multi-Family premises do not include hotels, motels, or other transient occupancy facilities, which are considered Commercial Businesses.
- MM. “MWELo” refers to the Model Water Efficient Landscape Ordinance (MWELo), 23 CCR, Division 2, Chapter 2.7.
- NN. “Non-Compostable Paper” includes but is not limited to paper that is coated in a plastic material that will not breakdown in the composting process, or as otherwise defined in 14 CCR Section 18982(a)(41).
- OO. “Non-Local Entity” means the following entities that are not subject to the City’s enforcement authority, or as otherwise defined in 14 CCR Section 18982(a)(42), including special districts located within the boundaries of the City, including _____.

- PP. “Non-Organic Recyclables” means non-putrescible and non-hazardous recyclable wastes including but not limited to bottles, cans, metals, plastics and glass, or as otherwise defined in 14 CCR Section 18982(a)(43).
- QQ. “Notice of Violation (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 Section 18982(a)(45) or further explained in 14 CCR Section 18995.4.
- RR. “Organic Waste” means Solid Wastes containing material originated from living organisms and their metabolic waste products, including but not limited to food, green material, landscape and pruning waste, organic textiles and carpets, lumber, wood, Paper Products, Printing and Writing Paper, manure, biosolids, digestate, and sludges or as otherwise defined in 14 CCR Section 18982(a)(46). Biosolids and digestate are as defined by 14 CCR Section 18982(a).
- SS. “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 Section 18982(a)(48).
- TT. “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 Section 18982(a)(51).
- UU. “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 Section 18982(a)(54).
- VV. “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 Black Container that are acceptable Source Separated Recyclable Materials and/or Source Separated Green Container Organic Wastes to be placed in City’s Green Container and/or Blue Container; and, (iv) Excluded Waste placed in any container.
- WW. “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 Section 18982(a)(60).

- XX. “Recovery” means any activity or process described in 14 CCR Section 18983.1(b), or as otherwise defined in 14 CCR Section 18982(a)(49).
- YY. “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 Section 18982(a)(61).
- ZZ. “Regional Agency” means regional agency as defined in Public Resources Code Section 40181.
- AAA. “Remote Monitoring” means the implementation and use by City only of the internet of things (IoT) and/or wireless electronic devices to visualize the contents of Blue Containers, Green Containers, and Black Containers for purposes of identifying the quantity of materials in containers (level of fill) and/or presence of Prohibited Container Contaminants.
- BBB. “Renewable Gas” means gas derived from 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 otherwise defined in 14 CCR Section 18982(a)(62).
- CCC. “Restaurant” means an establishment primarily engaged in the retail sale of food and drinks for on-premises or immediate consumption, or as otherwise defined in 14 CCR Section 18982(a)(64).
- DDD. “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 Section 18982(a)(65).
- EEE. “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 with Section 42652) to Part 3 of Division 30 of the Public Resources Code, establishing methane emissions reduction targets in a Statewide effort to reduce emissions of short-lived climate pollutants as amended, supplemented, superseded, and replaced from time to time.
- FFF. “SB 1383 Regulations” or “SB 1383 Regulatory” means or refers to, for the purposes of this ordinance, 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.
- GGG. “Self-Hauler” 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

Section 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 Section 18982(a)(66)(A).

HHH. "Single-Family" means of, from, or pertaining to any residential premises with fewer than five (5) units.

III. "Solid Waste" has the same meaning as defined in State Public Resources Code Section 40191, which defines Solid Waste as all putrescible and nonputrescible solid, semisolid, and liquid wastes, including garbage, trash, refuse, paper, rubbish, ashes, industrial wastes, demolition and construction wastes, abandoned vehicles and parts thereof, discarded home and industrial appliances, dewatered, treated, or chemically fixed sewage sludge which is not hazardous waste, manure, vegetable or animal solid and semi-solid wastes, and other discarded solid and semisolid wastes, with the exception that Solid Waste does not include any of the following wastes:

1. Hazardous waste, as defined in the State Public Resources Code Section 40141.
2. Radioactive waste regulated pursuant to the State Radiation Control Law (Chapter 8 (commencing with Section 114960) of Part 9 of Division 104 of the State Health and Safety Code).
3. Medical waste regulated pursuant to the State Medical Waste Management Act (Part 14 (commencing with Section 117600) of Division 104 of the State Health and Safety Code). Untreated medical waste shall not be disposed of in a Solid Waste landfill, as defined in State Public Resources Code Section 40195.1. Medical waste that has been treated and deemed to be Solid Waste shall be regulated pursuant to Division 30 of the State Public Resources Code.

JJJ. "Source Separated" means materials, including commingled recyclable materials, that have been separated or kept separate from the Solid Waste stream, at the point of generation, for the purpose of additional sorting or processing those materials for recycling or reuse in order to return them to the economic mainstream in the form of raw material for new, reused, or reconstituted products, which meet the quality standards necessary to be used in the marketplace, or as otherwise defined in 14 CCR Section 17402.5(b)(4). For the purposes of the ordinance, Source Separated shall include separation of materials by the generator, property owner, property owner's employee, property manager, or property manager's employee into different containers for the purpose of collection such that Source Separated materials are separated from Black Container Waste/Mixed Waste or other Solid Waste for the purposes of collection and processing.

KKK. “Source Separated Blue Container Organic Waste” means Source Separated Organic Waste that can be placed in a Blue Container that (i) is limited to the collection of those Organic Wastes and Non-Organic Recyclables as defined in Section 18982(a)(43), or as otherwise defined by Section 17402(a)(18.7), and (ii) excludes any other Organic Waste that an Organics Waste Facility may reject to maintain any organics-related composting certifications including but not limited to organic carpets and textiles, contaminated wood or lumber, manure, digestate, biosolids, and sludges.

LLL. “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 Organic Waste; Non-Compostable Paper; Paper Products; Printing and Writing Paper; and any other Organic Waste that an Organics Waste Facility may reject to maintain any organics-related composting certifications including but not limited to organic carpets and textiles, contaminated wood or lumber, manure, digestate, biosolids, and sludges.

MMM. “Source Separated Recyclable Materials” means Source Separated Non-Organic Recyclables and Source Separated Blue Container Organic Waste.

NNN. “State” means the State of California.

OOO. “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 Section 18982(a)(71).

PPP. “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 ordinance.

QQQ. “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 ordinance.

RRR. “Uncontainerized Green Waste and Yard Waste Collection Service” or “Uncontainerized Service” means a collection service that collects green waste and yard waste that is placed in a pile or bagged for collection on the street in front of a generator’s house or place of business for collection and transport to a facility that recovers Source Separated Organic Waste, or as otherwise defined in 14 CCR Section 189852(a)(75).

SSS. “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 Section 189852(a)(76).

____.040 - Requirements for single-family generators.

Single-Family Organic Waste Generators shall comply with the following requirements except Single-Family generators that meet the Self-Hauler requirements in Section _____ of the code:

- A. Shall subscribe to City’s Organic Waste collection services for all Organic Waste generated as described in Section _____.040(B). City or its Designee shall have the right to review the number and size of a generator’s containers 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 or its Designee.

- B. Shall participate in the City's Organic Waste collection service(s) by placing designated materials in designated containers as described below, and shall not place Prohibited Container Contaminants in collection containers.
 - 1. Generator shall place Source Separated Green Container Organic Waste, including Food Waste, in the Green Container; Source Separated Recyclable Materials in the Blue Container; and Black Container Waste in the Black Container. Generators shall not place materials designated for the Black Container into the Green Container or Blue Container.

____.____.050 - Requirements for commercial businesses.

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

- A. Subscribe to City's three-container collection services and comply with requirements of those services as described below in Section _____.050(B), except Commercial Businesses that meet the Self-Hauler requirements in Section _____. City or its Designee 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 or its Designee.
- B. Except Commercial Businesses that meet the Self-Hauler requirements Section _____, participate in the City's Organic Waste collection service(s) by placing designated materials in designated containers as described below.
 - 1. Generator shall place Source Separated Green Container Organic Waste, including Food Waste, in the Green Container; Source Separated Recyclable Materials in the Blue Container; and Black Container Waste in the Black Container. Generator shall not place materials designated for the Black Container into the Green Container or Blue Container.
 - 2. Supply and allow access to adequate number, size and location of collection containers with sufficient labels or colors (conforming with Sections 3(a) and 3(b) below) for employees, contractors, tenants, and customers, consistent with City's Blue Container, Green Container, and Black Container collection service or, if self-hauling, per the Commercial Businesses' instructions to support its compliance with its self-haul program, in accordance with Section _____.

3. 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 Section 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 Section 18984.8, the container labeling requirements are required on new containers commencing January 1, 2022.
4. Multi-Family Residential Dwellings are not required to comply with container placement requirements or labeling requirement in Section 3(b) pursuant to 14 CCR Section 18984.9(b).
5. 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 per the City's Blue Container, Green Container, and Black Container collection service or, if self-hauling, per the Commercial Businesses' instructions to support its compliance with its self-haul program, in accordance with Section _____ .
6. Excluding Multi-Family Residential Dwellings, quarterly inspect Blue Containers, Green Containers, and Black 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 Section 18984.9(b)(3).

7. 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.
8. Provide education information before or within fourteen (14) days of occupation of the premises to new tenants that describes requirements to keep Source Separated Green Container Organic Waste and Source Separated Recyclable Materials separate from Black Container Waste (when applicable) and the location of containers and the rules governing their use at each property.
9. Provide or arrange access for City or its Designee to their properties during all Inspections conducted in accordance with _____.110 of this ordinance to confirm compliance with the requirements of this ordinance.
10. Accommodate and cooperate with City's Remote Monitoring program for Inspection of the contents of containers for Prohibited Container Contaminants, which may be implemented by City at a later date, to evaluate generator's compliance with Section _____.050(B). The Remote Monitoring program shall involve installation of Remote Monitoring equipment on or in the Blue Containers, Green Containers, and Black Containers.
11. At Commercial Business's option and subject to any approval required from the City, implement a Remote Monitoring program for Inspection of the contents of its Blue Containers, Green Containers, and Black Containers for the purpose of monitoring the contents of containers to determine appropriate levels of service and to identify Prohibited Container Contaminants. Generators may install Remote Monitoring devices on or in the Blue Containers, Green Containers, and Black Containers subject to written notification to or approval by the City.
12. If a Commercial Business wants to self-haul, meet the Self-Hauler requirements in Section _____ of this ordinance.
13. Commercial Businesses that are Tier One or Tier Two Commercial Edible Food Generators shall comply with Food Recovery requirements, pursuant to Section _____.070.

___.060 – Waivers for generators.

- A. De Minimis Waivers - City may waive a Commercial Business' obligation (including Multi-Family Residential Dwellings) to comply with some or all of the Organic Waste requirements of this ordinance if the Commercial Business provides documentation that the business generates below a certain amount of Organic Waste material as described in Section _____.060(A)(2) below. Commercial Businesses requesting a de minimis waiver shall:
1. Submit an application specifying the services that they are requesting a waiver from and provide documentation as noted in Section _____.060(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 City if circumstances change such that Commercial Business's Organic Waste exceeds threshold required for waiver, in which case waiver will be rescinded.
 4. Provide written verification of eligibility for de minimis waiver every 5 years, if City has approved de minimis waiver.
- B. Physical Space Waivers – City may waive a Commercial Business' or property owner's 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 of Section _____.050.

A Commercial Business or property owner may request a physical space waiver through the following process:

1. Submit an Exemption Request form to the Public Works Department specifying the type(s) of collection services for which they are requesting a compliance 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. Provide written verification to _____ that it is still eligible for physical space waiver every five years, if City has approved application for a physical space waiver.

___.070 - 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 City's designated enforcement entity or designated third party enforcement entity to access the premises and review records pursuant to 14 CCR Section 18991.4.
 5. Keep records that include the following information, or as otherwise specified in 14 CCR Section 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 Section 18991.3(b).
- b. A copy of all contracts or written agreements established under 14 CCR Section 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.
- 6. No later than July 1st of each year commencing no later than July 1, 2022 for Tier One Commercial Edible Food Generators and July 1, 2024 for Tier Two Commercial Edible Food Generators provide an annual Food Recovery report to the City that includes the records listed in Section _____.070(5)(c).
- 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 114079 of the Health and Safety Code, relating to food safety, as amended, supplemented, superseded and replaced from time to time).

____.080 - 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 Section 18991.3(b), shall maintain the following records, or as otherwise specified by 14 CCR Section 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 to 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 Section 18991.3(b), shall maintain the following records, or as otherwise specified by 14 CCR Section 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 shall inform generators about California and Federal Good Samaritan Food Donation Act protection in written communications, such as in their contract or agreement established under 14 CCR Section 18991.3(b).
- D. 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 Section 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 Section 18991.3(b) no later than July 1, 2022.
- E. 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.

___.090 - Requirements for haulers and facility operators.

- A. Exclusive franchised hauler(s) providing residential, Commercial, or industrial Organic Waste collection services to generators within the City's boundaries shall meet the following requirements as a condition of approval of a contract, agreement, or similar contractual authorization with the City to collect Organic Waste:
 - 1. Through written notice to the City annually on or before July 1, 2022, identify the facilities to which they will transport Organic Waste including facilities for Source Separated Recyclable Materials and Source Separated Green Container Organic Waste.
 - 2. Transport Source Separated Recyclable Materials and Source Separated Green Container Organic Waste to a facility, operation, activity, or property that recovers Organic Waste as defined in 14 CCR, Division 7, Chapter 12, Article 2. Notwithstanding the foregoing, hauler shall not be required to transport any containers with Prohibited Container Contaminants to a facility, operation, activity, or property that recovers Organic Waste.
 - 3. 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 C&D in a manner that complies with 14 CCR Section 18989.1 and Section 15.04.010(a)(8).
 - 4. Exclusive franchised hauler(s) authorization to collect Organic Waste shall comply with any education, equipment, signage, container labeling, container color, contamination, monitoring, and reporting requirements relating to the collection of Organic Waste contained within its franchise agreement.
- 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 City 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 City 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.

___.100 - Procurement requirements for city departments, direct service providers, and vendors.

- A. City departments, and direct service providers to the City, as applicable, must comply with the City's Recovered Organic Waste Product procurement policy and Recycled-Content Paper procurement policy.
- B. All vendors providing Paper Products and Printing and Writing Paper shall:
 1. If fitness and quality are equal, provide Recycled-Content Paper Products and Recycled-Content Printing and Writing Paper that consists 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.
 2. Provide Paper Products and Printing and Writing Paper that meet Federal Trade Commission recyclability standard as defined in 16 Code of Federal Regulations (CFR) Section 260.12.
 3. Certify in writing, under penalty of perjury, the minimum percentage of postconsumer material in the Paper Products and Printing and Writing Paper offered or sold to the City. This certification requirement may be waived if the percentage of postconsumer material in the Paper Products, Printing and Writing Paper, or both can be verified by a product label, catalog, invoice, or a manufacturer or vendor internet website.
 4. Certify in writing, on invoices or receipts provided, that the Paper Products and Printing and Writing Paper offered or sold to the City is eligible to be labeled with an unqualified recyclable label as defined in 16 Code of Federal Regulations (CFR) Section 260.12 (2013).
 5. Provide records to the City's Recycling Coordinator, in accordance with the City's Recycled-Content Paper procurement policy(ies) of all Paper Products and Printing and Writing Paper purchases within thirty (30) days of the purchase (both recycled-content and non-recycled content, if any is purchased) made by any division or department or employee of the City. Records shall include a copy (electronic or paper) of the invoice or other

documentation of purchase, written certifications as required in Sections _____.100(B)(3) and _____.100(B)(4) of this ordinance for recycled-content purchases, purchaser name, quantity purchased, date purchased, and recycled content (including products that contain none), and if non-recycled content Paper Products or Printing and Writing Papers are provided, include a description of why Recycled-Content Paper Products or Printing and Writing Papers were not provided.

____.110 - 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 ordinance by Organic Waste Generators, Commercial Businesses (including Multi-Family Residential Dwellings), property owners, Commercial Edible Food Generators, Self-Haulers, Food Recovery Services, and Food Recovery Organizations, subject to applicable laws. This Section does not allow City to enter the interior of a private residential property for Inspection. For the purposes of inspecting Commercial Business containers for compliance with Section _____.050(B) of this ordinance, 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 _____.050(B)(10) of this ordinance.
- B. Organic Waste Generators, Commercial Businesses (including Multi-Family Residential Dwellings), property owners, Commercial Edible Food Generators, Self-Haulers, Food Recovery Services, and Food Recovery Organizations 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 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 ordinance described herein. Failure to provide or arrange for: (i) access to an entity's premises; (ii) installation and operation of Remote Monitoring equipment; or (ii) access to records for any Inspection or investigation is a violation of this ordinance and may result in penalties described.
- C. Any records obtained by a 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 of Organic

Waste Generators, Commercial Businesses (including Multi-Family Residential Dwellings), property owners, Commercial Edible Food Generators, Self-Haulers, Food Recovery Services, and Food Recovery Organizations as reasonably necessary to further the goals of this ordinance, subject to applicable laws.

- E. 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.

___.120 – Enforcement.

- A. Violation of any provision of this ordinance shall constitute grounds for issuance of a Notice of Violation and assessment of a fine by a City Enforcement Official or representative. Enforcement Actions under this ordinance are issuance of an administrative citation and assessment of a fine. The City's procedures on imposition of administrative fines are hereby incorporated in their entirety, as modified from time to time, and shall govern the imposition, enforcement, collection, and review of administrative citations issued to enforce this ordinance and any rule or regulation adopted pursuant to this ordinance, except as otherwise indicated in this ordinance.
- B. Other remedies allowed by law may be used, including civil action or prosecution as misdemeanor or infraction. City may pursue civil actions in the California courts to seek recovery of unpaid administrative citations. City may choose to delay court action until such time as a sufficiently large number of violations, or cumulative size of violations exist such that court action is a reasonable use of City staff and resources.
- C. Responsible Entity for Enforcement
 - 1. Enforcement pursuant to this ordinance may be undertaken by the City Enforcement Official, which may be the city manager or their designated entity, legal counsel, or combination thereof.
 - a. City Enforcement Official(s) will interpret ordinance; determine the applicability of waivers, if violation(s) have occurred; implement Enforcement Actions; and, determine if compliance standards are met.
 - b. City Enforcement Official(s) may issue Notices of Violation(s).
- D. Process for Enforcement
 - 1. City Enforcement Officials will monitor compliance with the ordinance randomly and through Compliance Reviews, Route Reviews, investigation of complaints, and an Inspection program that may include Remote

Monitoring. Section 1___.110 establishes City's right to conduct Inspections and investigations.

2. City may issue an official notification to notify regulated entities of its obligations under the ordinance.
3. Contamination Prevention.
 - a. For incidences of Prohibited Container Contaminants found by City in containers, 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 or other communication immediately upon identification of the Prohibited Container Contaminants or within 2 days after determining that a violation has occurred. If the City observes Prohibited Container Contaminants in a Generator's containers on more than two (2) occasion(s), every calendar year starting January 1, the City may assess an administrative fine or penalty on the Generator in accordance with Section ___.120(E).
 - b. In addition to ___.120(D)(3)(a), for incidences of Prohibited Container Contaminants found by a hauler in containers, hauler will issue a notice of contamination to any generator found to have Prohibited Container Contaminants in a container. Such notice will be provided via a cart tag or other communication immediately upon identification of the Prohibited Container Contaminants or within 2 days after determining that a violation has occurred. If a hauler observes Prohibited Container Contaminants in a generator's containers on more than two (2) occasion(s) every calendar year starting January 1, the hauler shall have the right to assess a contamination service charge on the generator to cover the additional costs of processing Contaminated Containers per the current franchise hauler rate schedule. The foregoing contamination service charge shall not be considered an administrative fine or penalty. Any disputes arising from the assessment of a contamination service charge shall be adjudicated pursuant to the customer complaint resolution process provided under the terms of any contract, agreement, or similar contractual authorization between the hauler and the City to collect Organic Waste.
4. With the exception of violations of generator contamination of container contents addressed under Section ___.120(D)(3), City shall issue a Notice of Violation requiring compliance within 60 days of issuance of the notice.

5. Absent compliance by the respondent within the deadline set forth in the Notice of Violation, City shall commence an action to impose penalties, via an administrative citation and fine, pursuant to the City's ordinance contained in Section __.__.120(K), List of Violations.

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

E. Penalty Amounts for Types of Violations

The penalty levels for City-issued Notices of Violation are as follows:

1. For a first violation, the amount of the base penalty shall be \$100 per violation.
2. For a second violation, the amount of the base penalty shall be \$200 per violation.
3. For a third or subsequent violation, the amount of the base penalty shall be \$500 per violation.

F. Compliance Deadline Extension Considerations

The City may extend the compliance deadlines set forth in a Notice of Violation issued in accordance with Section __.__.120 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.

H. Appeals Process

Persons receiving an administrative citation containing a penalty for an uncorrected violation may request a hearing to appeal the citation. A hearing will be held only if it is requested within the time prescribed and consistent with City's procedures in the City's codes for appeals of administrative citations. Evidence

may be presented at the hearing. The City will appoint a hearing officer who shall conduct the hearing and issue a final written order.

I. Education Period for Non-Compliance

Beginning January 1, 2022 and through December 31, 2023, City will conduct Inspections, Remote Monitoring, Route Reviews or waste evaluations, and Compliance Reviews, depending upon the type of regulated entity, to determine compliance with this ordinance, and if 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 ordinance 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.

J. Civil Penalties 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 ordinance, it shall document the noncompliance or violation, issue a Notice of Violation, and take Enforcement Action pursuant to Section __.__.120, as needed. The foregoing shall not apply to violations arising from incidences where a hauler discovers Prohibited Container Contaminants found in containers.

K. Enforcement Table – List of Violations

Requirement	Description of Violation
Commercial Business and Commercial Business Owner Responsibility Requirement Section __.__.050	Commercial Business fails to provide or arrange for Organic Waste collection services consistent with City requirements and as outlined in this ordinance, for employees, contractors, tenants, and customers, including supplying and allowing access to adequate numbers, size, and location of containers and sufficient signage and container color.
Organic Waste Generator Requirement	Organic Waste Generator fails to comply with requirements adopted pursuant to this ordinance for the collection and Recovery

Sections __.__.040 and __.__.050	of Organic Waste.
Hauler Requirement Section __.__.090	A hauler providing residential, Commercial, or industrial Organic Waste collection service fails to obtain applicable approval issued by the City to haul Organic Waste as prescribed by this ordinance.
Hauler Requirement Section __.__.090	A hauler fails to keep a record of the applicable documentation of its approval to haul Organic Waste by the City, as prescribed by this ordinance.
Self-Hauler Requirement Section _____	A generator who is a Self-Hauler fails to comply with the requirements of 14 CCR Section 18988.3(b).
Commercial Edible Food Generator Requirement Section __.__.070	Tier One Commercial Edible Food Generator fails to arrange to recover the maximum amount of its Edible Food that would otherwise be disposed by establishing a contract or written agreement with a Food Recovery Organization or Food Recovery Service and comply with this Section commencing Jan. 1, 2022.
Commercial Edible Food Generator Requirement Section __.__.070	Tier Two Commercial Edible Food Generator fails to arrange to recover the maximum amount of its Edible Food that would otherwise be disposed by establishing a contract or written agreement with a Food Recovery Organization or Food Recovery Service and comply with this Section commencing Jan. 1, 2024.
Commercial Edible Food Generator Requirement Section __.__.070	Tier One or Tier Two Commercial Edible Food Generator intentionally spoils Edible Food that is capable of being recovered by a Food Recovery Organization or Food Recovery Service.

Organic Waste Generator, Commercial Business Owner, Commercial Edible Food Generator, Food Recovery Organization or Food Recovery Service Sections __.__.050 and __.__.070	Failure to provide or arrange for access to an entity's premises for any Inspection or investigation.
Recordkeeping Requirements for Commercial Edible Food Generator Section __.__.070	Tier One or Tier Two Commercial Edible Food Generator fails to keep records, as prescribed by Section __.__.070.
Recordkeeping Requirements for Food Recovery Services and Food Recovery Organizations Section __.__.080	A Food Recovery Organization or Food Recovery Service that has established a contract or written agreement to collect or receive Edible Food directly from a Commercial Edible Food Generator pursuant to 14 CCR Section 18991.3(b) fails to keep records, as prescribed by Section __.__.080.

__.__.130 - Effective date.

This ordinance shall be effective commencing on January 1, 2022.