

RESOLUTION NO. 2017-45

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROSEMEAD,
CALIFORNIA, ADOPTING AN ORGANIC WASTE RECYCLING
PROGRAM**

WHEREAS, AB 1826 amended the Integrated Waste Management Act (Public Resources Code § 40000 et seq.) to add a new Chapter 12.9 to the Act imposing regulations applicable to the recycling of organic waste; and

WHEREAS, the City has entered into an exclusive franchise agreement with Republic Services for solid waste collection and disposal services, and requires Republic Services to assist the City in complying with all applicable provisions of the Integrated Waste Management Act, of which AB 1826 is a part; and

WHEREAS, Public Resources Code § 42649.81 phases in organic waste recycling requirements for businesses, with the first phase commencing on April 1, 2016 and requiring businesses that generate more than 8 cubic yards of organic waste per week to recycle their organic waste; and

WHEREAS, Public Resources Code § 42649.82 requires cities and counties to adopt an organic waste recycling plan on or before January 1, 2016, which may be implemented through a requirement for mandatory organic waste recycling through a franchisee; and

WHEREAS, the City desires for Republic Services to provide organic waste recycling services consistent with AB 1826 within the City.

NOW, THEREFORE, the City Council of the City of Rosemead does hereby resolve as follows:

SECTION 1. Adoption of Organic Waste Recycling Program. The City Council adopts this Resolution No. 2017-45 as its organic waste recycling program as required by Public Resources Code section 42649.82.

SECTION 2. Organic Waste Recycling Program. The City's Organic Waste Recycling Program shall consist of the following elements:

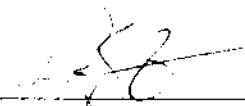
- (a) *Mandatory Organic Waste Recycling for Businesses.* Businesses within the City shall recycle their organic waste consistent with the requirements of Public Resources Code section 42649.81. For the purposes of this subsection "businesses" shall have the same meaning as provided in Public Resources Code section 42649.8, which Resolution No. 2017-45 defines businesses to mean "a commercial or public entity, including, but not limited to, a firm, partnership, proprietorship, joint stock company, corporation, or association that is organized as a for-profit or nonprofit entity, or a multifamily residential dwelling."
- (b) *Report of Organic Waste Generators.* Republic Services shall prepare a report identifying "organic waste generators," as that term is defined in Public Resources Code § 42649.8,

within the City, and submit such report to the City by July 1, to ensure that the report can be filed with the State by August 1 of each year.

- (c) *Information Regarding Organic Waste Recycling Facilities.* Republic Services shall compile the information listed in Public Resources Code § 42649.82(d)(1)(A) and (B) regarding organic waste recycling facilities and compostable material handling operations, and submit such information to the City.
- (d) *Diversion of Organic Waste.* Diverted organics materials will be allocated to highest and best end uses as outlined by the US EPA Food Recovery Hierarchy. Food Recovery of edible portions will be provided by Food Finders in partnership with the City and Republic Services. Non-edible portions will be source separated by the commercial sector, collected in a dedicated route by Republic Services and environmentally recycled for renewable energy production by the CORE system and LA County Sanitation wastewater treatment plant in Carson, California. Organics materials will also be composted through a covered aerated static pile system (CASP) at the Agromin OC facility in Chino, California.
- (e) *Franchise Agreement.* The City's franchise agreement with Republic Services provides for changes in compensation due to changes in law under Section 3.3(b). The City has negotiated a highly favorable and phased in increase of 5.0% to commercial rates to be implemented October 1, 2017, and an additional 5.0% to be implemented on August 1, 2018, which will provide compensation to Republic Service to provide the City with a compliant AB 1826 program.
- (f) *Public Education and Outreach.* Republic Services shall develop a program of education and outreach to businesses subject to mandatory organic waste recycling under Public Resources Code § 42649.81 , and monitor the compliance of such businesses with AB 1826.

SECTION 3. The City Clerk shall certify to the adoption of this resolution and hereafter the same shall be in full force and effect.

PASSED, APPROVED, AND ADOPTED this 12th day of September, 2017.




Polly Low, Mayor

APPROVED AS TO FORM:



Rachel Richman, City Attorney

ATTEST:



Marc Donohue, City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) §
CITY OF ROSEMEAD)

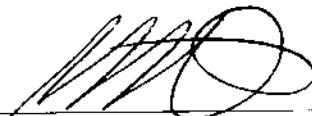
I, Marc Donohue, City Clerk of the City Council of the City of Rosemead, California, do hereby certify that the foregoing City Council Resolution, No. 2017-45, was duly adopted by the City Council of the City of Rosemead, California, at a regular meeting thereof held on the 12th day of September, 2017, by the following vote, to wit:

AYES: ARMENTA, CLARK, LOW, LY

NOES: NONE

ABSENT: ALARCON

ABSTAIN: NONE



Marc Donohue, City Clerk