



CITY OF COMMERCE AGENDA REPORT

TO: City Council

Item No. _____

FROM: City Administrator

SUBJECT: An Ordinance Repealing and Replacing Chapter 6.06 – Garbage and Refuse – public hearing regarding Commercial Refuse Management and Mandated Recycling Reporting

MEETING DATE: February 20, 2018

RECOMMENDATION:

For the City Council to:

1. Conduct a public hearing and adopt an Ordinance repealing and replacing Chapter 6.06 – Garbage and Refuse to:
 - a. discontinue issuing recycling hauler licenses,
 - b. establish a single license for haulers of refuse and/or recycling services, and
 - c. require all haulers to pay a hauler license fee, and
 - d. transfer an existing and valid refuse and/or recycling hauler license to the parent company who acquired the licensed hauler for operating solely under the parent company name.
2. Adopt the City of Commerce's Local Implementation Plan (LIP) required by CalRecycle in response to the State-issued Compliance Order for the Mandatory Commercial Recycling Program.

BACKGROUND/ANALYSIS:

On February 6, 2018, the City Council received a detailed report on the City's Commercial Recycling Program, the need to revise its Municipal Code to improve upon the City's current refuse and recycling management system. It was explained that there are several actions needed to improve the City's system and that the actions needed would be reported and executed over the course of at least several months in separate, but continuous steps. An Ordinance was introduced and a public hearing set for February 20, 2018.

At this same meeting, staff specifically reported on the State's mandated regulations, its impacts on businesses, refuse and recycling haulers, and the City, the City's response to these regulations to date, its participation in the CalRecycle public hearing on November

16, 2017 due to the City's non-compliance, and subsequent CalRecycle-issued Compliance Order. As previously reported, this Order requires the following:

1. Development and submittal of a Local Implementation Plan (LIP) by March 2, 2018;
2. Implementation of the LIP by July 31, 2018;
3. CalRecycle monitoring of the City's LIP implementation through January 31, 2019;
and
4. Quarterly and Annual Report submittals with implementation status updates.

CalRecycle requires City adoption of the LIP prior to March 2, 2018, the submittal deadline. Staff will return to Council with an agreement template, 5-year notice to applicable haulers, and to seek authorization to release a Request for Proposals for a formal bidding process among the existing haulers.

At this time, staff recommends conducting the public hearing and adopting the Ordinance and LIP. Staff will report progress with Ordinance and LIP implementation at a subsequent meeting.

ALTERNATIVES:

1. Approve staff recommendation
2. Disapprove staff recommendation
3. Provide further direction to staff

FISCAL IMPACT:

No fiscal impact at this time.

RELATIONSHIP TO STRATEGIC GOALS:

The item is related to:

Action Item - Environmental Compliance, Monitoring, and Reporting: City oversight and management of environmental compliance for development projects, regulations, public engagement, and coordination with other agencies.

Approved by: Maryam Babaki, Director of Public Works and Development Services
Prepared by: Gina Nila, Deputy Director of Public Works Operations
Reviewed by: Vilko Domic, Finance Director
Approved as to form: Noel Tapia, City Attorney
Respectfully submitted: Edgar Cisneros, City Administrator

Attachment: Ordinance
Resolution
Local Implementation Plan (LIP)