

RESOLUTION NO. 18-21

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMMERCE,
CALIFORNIA, FOR MODIFICATIONS TO THE COMMERCIAL REFUSE
MANAGEMENT SYSTEM AND ADOPTION OF A LOCAL
IMPLEMENTATION PLAN**

WHEREAS, 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; and

WHEREAS, 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 with introduction of an Ordinance and a public hearing set for February 20, 2018; and

WHEREAS, 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 which 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; and

WHEREAS, CalRecycle requires City adoption of the LIP prior to March 2, 2018, the submittal deadline; and

WHEREAS, 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; and

WHEREAS, at this time, staff recommends conducting the public hearing and adopting the Ordinance and LIP which progress on Ordinance and LIP implementation presented at a subsequent meeting.

NOW, THEREFORE, THE CITY COUNCIL DOES HEREBY RESOLVE, DECLARE AND DETERMINE AS FOLLOWS:

Section 1. Adopts the Ordinance and authorizes staff to:

- discontinue issuing recycling hauler licenses,
- establish a single license for haulers of refuse and/or recycling services, and
- require all haulers to pay a hauler license fee, and

- 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.

Section 2. Adopts the Local Implementation Plan.

Section 2. The Mayor is authorized to execute the resolution for and on behalf of the City of Commerce.

PASSED, APPROVED AND ADOPTED this 20th day of February, 2018.

Oralia Rebollo
Mayor

ATTEST:

Lena Shumway
City Clerk