

In accordance with City Council Resolution No. 1995-21, the minutes of meetings of the City Council and the Boards, Commissions, and Committees of the City shall be prepared as Action Minutes.

MINUTES
CITY COUNCIL
BANNING, CALIFORNIA

10/08/2019
SPECIAL MEETING - WORKSHOP

COUNCIL/BOARD MEMBERS PRESENT: Councilmember Happe
Councilmember Peterson
Councilmember Wallace
Mayor Pro Tem Andrade
Mayor Welch

COUNCIL MEMBERS ABSENT: None

OTHERS PRESENT: Douglas Schulze, City Manager
Kevin G. Ennis, City Attorney
Sonja De La Fuente, Deputy City Clerk
Art Vela, Director of Public Works/City Engineer
Holly Stuart, Management Analyst
Adam Rush, Community Development Director
Suzanne Cook, Interim Administrative Services Director
Tom Miller, Electric Utility Director

I. CALL TO ORDER

A special meeting of the Banning City Council was called to order by Mayor Welch on October 8, 2019 at 4:01 P.M. at the Banning City Council Chambers, 99 E. Ramsey Street, Banning, California.

II. WORKSHOP

1. Senate Bill (SB) 1383 Organics Diversion.

Art Vela, Public Works Director/City Engineer provided a brief background and introduced presenters Kyle Rodriguez, Staff Analyst for the Western Riverside Council of Governments (WRCOG), and Holly Stuart, Management Analyst for the City of Banning who both provided presentations (Attachments 1 & 2).

III. PUBLIC COMMENTS

None

IV. ADJOURNMENT

By consensus, the meeting adjourned at 4:32 p.m.

Minutes Prepared by:



Sonja De La Fuente, Deputy City Clerk

The entire discussion of this meeting may be viewed here:

<https://banninglive.viebit.com/player.php?hash=CuEijoa4li9I> and related documents
can be viewed here: <https://banningca.gov/ArchiveCenter/ViewFile/Item/2160>
or by requesting a CD or DVD at Banning City Hall located at 99 E. Ramsey Street.

ATTACHMENT 1

(WRCOG Presentation)

Western Riverside Council of Governments (WRCOG) Workshop: California's Recycling Requirements



Banning Workshop
October 8, 2019

What we will cover...

1. WRCOG's Solid Waste Committee
2. California's New Recycling Requirements
3. Jurisdiction Responsibilities



Banning Workshop
October 8, 2019

Solid Waste Committee

- WRCOG's Solid Waste Committee was established after the adoption of AB 939 "*The Integrated Waste Management Act*" in 1989, to regionally addresses waste diversion goals in the Western Riverside County
- The Solid Waste Committee works with its member jurisdictions, its partners, and the California Department of Resources Recycling and Recovery (CalRecycle), meeting quarterly to discuss solid waste, environmental, and recycling issues and ways to address requirements
 - Develop workshops for businesses sharing the benefits of recycling
 - Attend community events providing education opportunities
 - Prepare and submit CalRecycle's Electronic Annual Reports



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October 8, 2019

California's New Recycling Requirements

Recently, the State of California has passed three major pieces of legislation to phase in recycling requirements for businesses and multi-family dwellings

1. Mandatory Commercial Recycling (AB 341)
2. Mandatory Organics Recycling (AB 1826)
3. Short Lived Climate Pollutants (SB 1383)



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October 8, 2019

Overview of AB 341 & AB 1826

Jurisdictions must have a Recycling and Organics Recycling Program for businesses and multi-family dwellings

- Effective as of January 1, 2019:

- Businesses and public agencies that generate four cubic yards or more of solid waste per week shall arrange for recycling
- Multi-family dwellings with 5+ units regardless amount of waste generated shall arrange for recycling services



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October 8, 2019

Requirements of AB 341 & AB 1826 (cont.)

Business Requirements

- Apply any one or combination of the following actions in order to divert solid waste from disposal:
 - Self-haul
 - Subscribe to a waste hauler
 - Arrange for pickup of recyclables
 - Subscribe to a recycling service that may include mixed-waste processing



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October 8, 2019

Requirements of AB 341 & AB 1826 (cont.)

Jurisdictional Requirements

- Each jurisdiction shall implement a recycling and organic solid waste program for businesses only:
 - Consists of **education, outreach** and **monitoring**
 - Reports on activities in CalRecycle's Electronic Annual Reports



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October 8, 2019

Requirements of AB 341 & AB 1826 (cont.)

Education and Outreach

- Can be done by waste hauler, city, regional JPA, or regional educational cooperative
- A variety of electronic, print, and direct contact methods to reach desired audience
- The most successful outreach efforts are done by all entities in a variety of formats to target the regulated business community and multi-family complexes



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October 8, 2019

Requirements of AB 341 & AB 1826 (cont.)

Annual Reporting

- Identify:
 - Total number of businesses within each city
 - Total number of businesses recycling
 - Total number of businesses not in compliance
- Conduct direct follow-up to those businesses **not** in compliance with information about the requirements



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October 8, 2019

Overview of SB 1383 Reducing Short-Lived Climate Pollutants

SB 1383 builds upon AB 341 & AB 1826 recycling requirements

1. Requires the state to reduce organic waste disposal 75% (roughly 20 million tons) by 2025
2. Requires the state to increase edible food recovery 20% by 2025
3. Disposal reductions will reduce at least 4-million metric tons of greenhouse gas emissions annually by 2030



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Requirements of SB 1383

Jurisdiction Requirements

1. Require all businesses and residents to have organic waste collection
2. Pass local enforcement ordinances to require businesses to subscribe to organic recycling services
3. Establish an edible food recovery program that recovers edible food from the waste stream
4. Conduct education and outreach to: commercial businesses, waste haulers, food recovery organizations, and city/county departments



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Requirements of SB 1383 (cont.)

Jurisdiction Requirements

5. Evaluate current infrastructure and plan for new compost and edible food recovery
6. Procure recycled organic waste products like compost and Renewable Natural Gas (RNG)
7. Inspect and enforce compliance of SB 1383
8. Maintain accurate and timely records of compliance

Meeting SB 1383 requirements complies with AB 341 and AB 1826



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October 8, 2019

Requirements of SB 1383 (cont.)

Implementation Considerations

CalRecycle advises that SB 1383 doesn't apply to only waste haulers and recycling departments, local resources will play a role in SB 1383 implementation, staff will need to be decide who will be involved in the following:

- Developing the design and content for public education materials
- Local enforcement ordinances, new collections fees, and ensuring programs are resourced
- Working with waste hauler, processing & organic facilities, and finding available locations where compost may be utilized



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Requirements of SB 1383 (cont.)

Implementation Considerations

- Tasking enforcement duties, including inspection of commercial food businesses
- Assessing the need for local compost and the application to parks and city landscaped areas
- Procuring recycled organic products and aware of current compost, Renewable Natural Gas, and paper purchases



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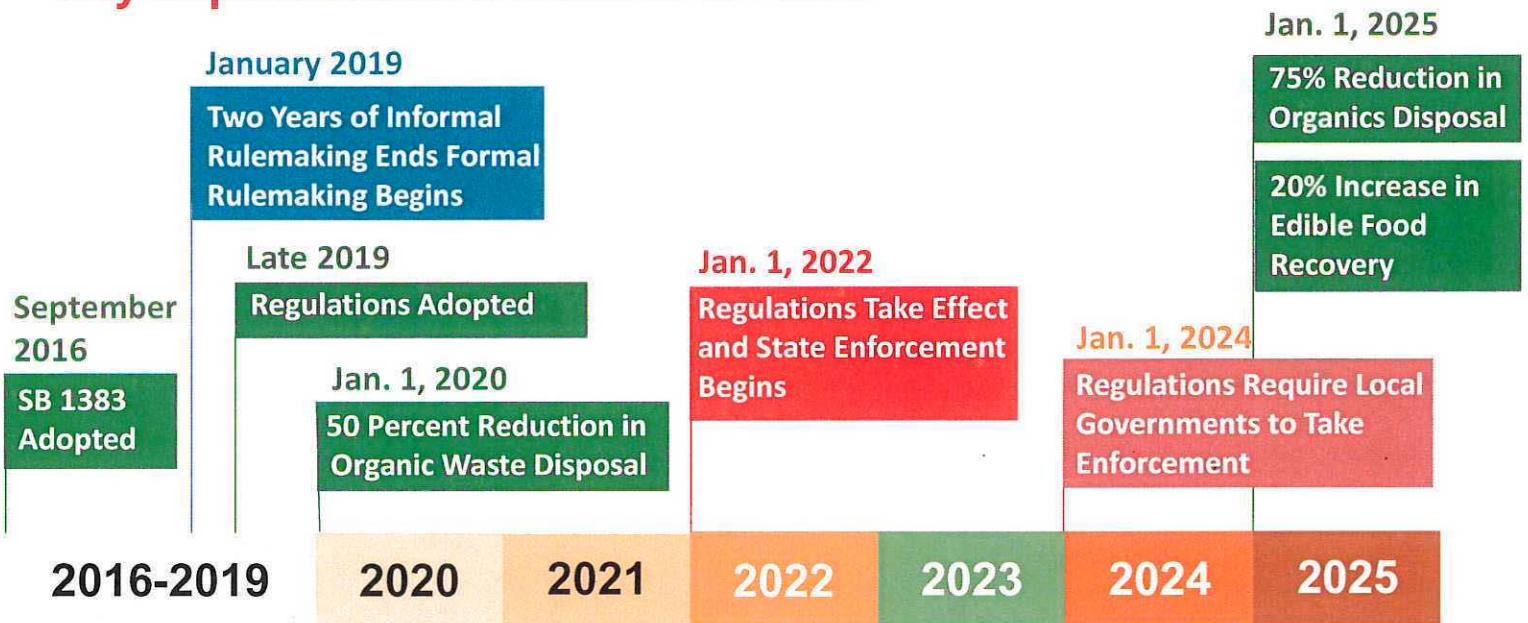
WRCOG's Role in SB 1383

- Provide members with best practices and resources across the state
- Act as a liaison between CalRecycle and member jurisdictions
- Survey Solid Waste Committee to identify the top two SB 1383 items that members need assistance with
 1. Developing an inspection and enforcement program to review commercial solid waste accounts; and
 2. Identify inspectors for eligible food generators and food recovery facilities
- Potentially apply for CalRecycle's Food Waste grant to help meet member's edible food recovery requirements



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Key Implementation Dates of SB 1383



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October 8, 2019

Contacts

Casey Dailey

Director of Energy & Environmental Programs
951-405-6721
cdailey@wrcog.us

Tyler Masters

Program Manager
951-405-6732
tmasters@wrcog.us

Kyle Rodriguez

Staff Analyst
951-405-6721
krodriguez@wrcog.us



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Additional Resources



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SB 1383 IN ACTION

LOCAL GOVERNMENT ROLES AND RESPONSIBILITIES

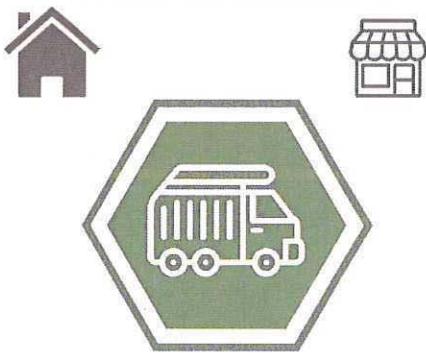
SB 1383 doesn't just apply to waste management and recycling departments.

Every local department plays a role in SB 1383 implementation.



SB 1383 IN ACTION

JURISDICTION REQUIREMENTS



Provide Organics Collection Services to all Residents and Businesses

ORGANIC WASTE COLLECTION SERVICES



Three-Container “source separated” Collection Service

- Organics prohibited from black container
- All organic waste segregated for collection and recycling



Two-Container Collection Service

- One container for collection of segregated organic waste
- One container for collection of mixed waste (subject to 75% organic content recovery standard)



One-Container Collection Service

- One container for collection of mixed waste (subject to 75% organic content recovery standard)
- Minimum contamination monitoring and reduction requirements
- Collection waivers authorized for certain documented circumstances

SB 1383 IN ACTION

JURISDICTION REQUIREMENTS



Establish Edible Food Recovery Program

EDIBLE FOOD RECOVERY PROGRAM

Identify Existing Food Recovery Capacity

Monitor Commercial Edible Food Generators for Compliance

01 Jurisdictions



02 Commercial Generators



03 Food Banks & Pantries



03



07



08



Food Delivery Services



06



05



Food Recovery Services



04



Health Departments



07



08



Food Recovery Kitchens



05



Food Recovery Services

04

Health Departments

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Food Recovery Kitchens

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Food Recovery Services

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Health Departments

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Food Recovery Services

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SB 1383 IN ACTION

JURISDICTION REQUIREMENTS



Conduct Education and
Outreach to Community

EDUCATION REQUIREMENTS

Annually educate all organic waste generators, commercial edible food generators, and self-haulers about relevant requirements

Print



Electronic



Direct Contact



Appropriate educational material must be provided to
linguistically isolated households

CalRecycle

SB 1383 IN ACTION

JURISDICTION REQUIREMENTS



Procure Recycled and Recovered Organic Products

PROCUREMENT REQUIREMENTS

COMPOST & RNG

Each jurisdiction must procure minimum amounts of compost or renewable natural gas

QUANTITY

Procurement levels are based on population

MINIMUM CONTENT

Paper products must be 30% recycled content

RECYLABILITY

All procured paper products must be recyclable



CalRecycle The CalRecycle logo, featuring the word "CalRecycle" in a bold, sans-serif font with a recycling symbol icon to the right.

RECYCLED-CONTENT PAPER PROCUREMENT TARGET

Requirements

75 Percent of Paper Purchases
Must Contain 30 Percent
Postconsumer Recycled Content

Products Must Be Recyclable
as Defined by FTC "Green
Guides" (16 CFR 260.12)



Jurisdictions Must Require Vendors to Certify
Postconsumer Content and Recyclability Claims

STATE OF CALIFORNIA
Department of Resources Recycling and Recovery (CalRecycle)
CalRecycle 74 (Revised 01/10 for State Agencies)

Postconsumer-Content
Certification

To be completed by the State agency	
State Agency:	
Purchasing Agent:	PO #:
Phone:	E-mail:

Eligible Products Include

Paper Products
(Including
Janitorial)



Printing and
Writing Paper



Similar Requirements as
State Agency Buy Recycled
Campaign

CAL GREEN REQUIREMENTS

Recycling organic waste commingled with C&D debris, to meet CalGreen 65% requirement for C&D recycling in both residential and non-residential projects



CalRecycle 

ORGANIC WASTE RECYCLING INFRASTRUCTURE



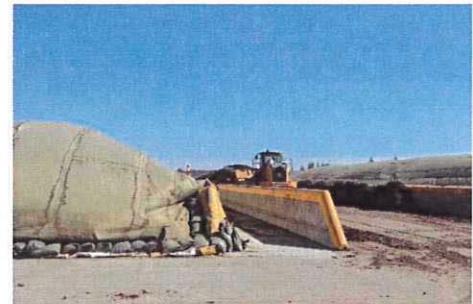
SB 1383 Requires 50-100
New or Expanded
Organic Waste Recycling Facilities

SB 1383 IN ACTION

CAPACITY PLANNING



Evaluating Current
Infrastructure and Planning
New Compost and AD Facilities
and Edible Food Recovery



SB 1383 IN ACTION

JURISDICTION REQUIREMENTS



Monitor Compliance and Conduct Enforcement

INSPECTION AND ENFORCEMENT REQUIREMENTS

Ordinance 2022



Adopt an Ordinance (Enforceable Mechanism) Including Enforcement

Compliance Monitoring & Education 2022-2024



Annual Compliance Reviews, Route Reviews, Inspections

Educate Violators

Compliance Monitoring & Enforcement 2024

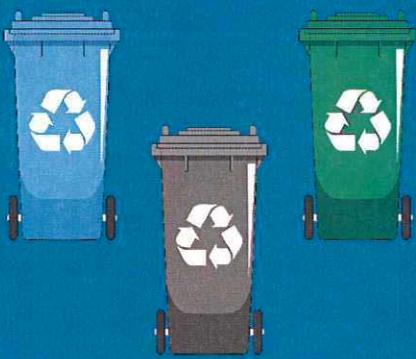


Annual Compliance Reviews, Route Reviews, Inspections

Notice of Violations, And Penalties for Violators

CalRecycle

JURISDICTION ENFORCEMENT REQUIREMENTS



Must Have Enforcement and Inspection Program that Includes:

- Annual Compliance Review
 - Commercial Businesses that Generate > 2 Cubic Yards/week
 - Verify Businesses are:
 - Subscribed to Service or Self-hauling
- **2 or 3 Container Collection Service:** Route Reviews of Commercial/Residential Areas to Verify Service and Inspect for Contamination
- **Single Unsegregated Collection Service:** Verify Businesses are subscribed to a service that is Transporting Contents to a High Diversion Organic Waste Processing Facility

Requirements Harmonize with AB 1826 and Don't Establish a Minimum Quantity of Physical Inspections



JURISDICTION ENFORCEMENT REQUIREMENTS ON COMMERCIAL FOOD GENERATORS



Must Have Enforcement and Inspection Program that Includes:

- Inspections are to verify:
 - Edible food Recovery arrangements
- Tier 1 Commercial Edible Food Generators by 2022
- Tier 2 Commercial Edible Food Generators by 2024

Commercial Edible Food Generator Inspections Can Be Combined with Existing Mandatory Inspections

CalRecycle 

SB 1383 IN ACTION

JURISDICTION REQUIREMENTS



Maintain Records and Report to CalRecycle

Recordkeeping Requirements:



Organic Collection Services



Hauler Program



Contamination Minimization



Waivers



Education & Outreach



Edible Food Recovery Program



Recycled Organic Waste Procurement



Recycled Paper Procurement



Commercial Edible Food Generators



Jurisdiction Inspection & Enforcement

CalRecycle

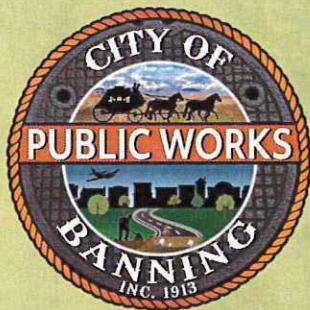


ATTACHMENT 2

(City Presentation)

Senate Bill 1383:

Turning Provisions into Practice



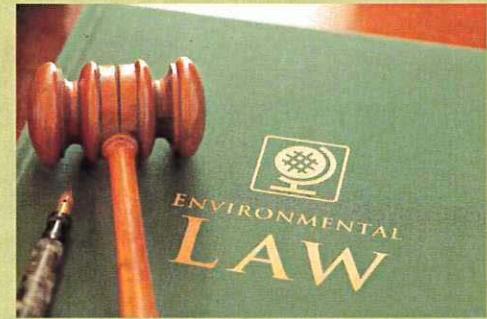
October 8, 2019
City Council Workshop



Tackling SB 1383 Requirements



- Evaluation of Current Collection, Transportation, Recycling and Disposal Services
 - Franchise Agreement Executed on July 5, 1993
 - Industry Standards and Trends
 - Legislative Requirements
 - Expires June 30, 2021



Franchise Agreement: NEGOTIATION SCHEDULE



Franchise Agreement: FORMAL BID PROCESS SCHEDULE



Committee Review



- **Presentation to Budget & Finance on March 19, 2019**
 - Timelines and Options
 - Current Franchise Agreement Provisions
 - Legislative Review
 - Industry Trends
 - Direction: Negotiation with the current hauler,
Waste Management



Contract Profiling



- Technical Analysis of current services and practices
- Performance Mechanisms and Service Options
- Industry Standards and Trends
- Legislative Requirements
- Rate Structures

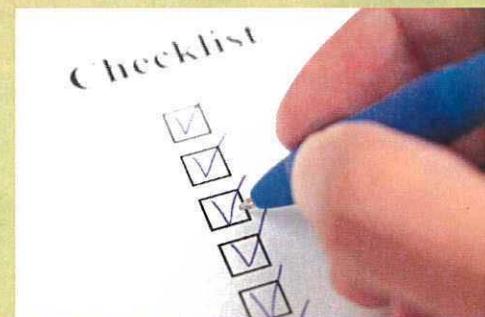




Jurisdictional Requirements

▪ WHAT WILL THE STATE REQUIRE FROM THE CITY?

- Organics Collection
- Public Education
- Record Keeping and Reporting
- Ordinance and Policies
- Inspection and Enforcement
- Organic Waste Procurement
- Edible Food Recovery Programs



Strain on Local Resources



1. Planning

Now

2. Educational Programs

January 1, 2022

3. Record Keeping

January 1, 2022

4. Organics Collection

January 1, 2022

5. Ordinances and Policies

January 1, 2022

6. Inspection and Enforcement

January 1, 2022 & 2024

7. Organics Waste Procurement

January 1, 2022

8. Edible Food Recovery

January 1, 2025

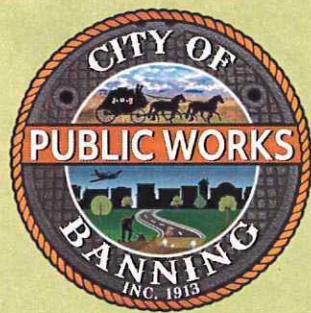


Next Steps

- **Negotiations with current hauler, Waste Management**
 - October-December 2019
- **Budget and Finance Committee Review**
 - January 2020
- **City Council Review and/or Bidding Process**
 - January 2020



Thank you



Art Vela
Public Works Director
Public Works Department

Holly Stuart
Management Analyst
Public Works Department