



CITY OF GLENDALE, CALIFORNIA
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October 27, 2020

Via E-mail and U.S. Mail

Kevin Brazile, Presiding Judge
Los Angeles Superior Court
Clara Shortridge Foltz Criminal Justice Center
210 West Temple Street, 11th Floor, Room 11-506
Los Angeles, CA 90012
civilgrandjury@lacourt.org

RE: City of Glendale Response to the Los Angeles County Grand Jury Report entitled "A Diet for Landfills: Cutting Down on Food Waste"

Honorable Judge Brazile:

On July 31, 2020, the Los Angeles County Grand Jury issued its report entitled "A Diet for Landfills: Cutting Down on Food Waste" ("Report"). The Report sets forth findings and makes extensive recommendations for cities and districts within Los Angeles County to increase food waste recycling and organic waste diversion rates.

At the conclusion of the Report, the Grand Jury recommends a public education campaign around food waste, that includes drop-off food waste centers, financial incentives, and adopting suggestions in the March 2018 Countywide Organics Waste Management Plan. The Grand Jury further directs the City of Glendale to provide responses to Recommendations 1.1, 1.3, 1.8, and 1.14. Accordingly, the City provides the following responses to these Recommendations in accordance with Penal Code §933 and 933.05.

Recommendations:

Recommendation 1.1: Each of the 88 cities, and the County's unincorporated areas, should establish a weekly food waste drop-off center. The center can be at a farmer's market, such as the one held each Thursday near Los Angeles City Hall, or at another appropriate site. City and County officials can arrange for the food waste collected to be taken to a nearby facility for recycling, or can establish contracts with organizations such as the Los Angeles Community Garden Council or landscaping companies for composting.

City's Response: The City disagrees with the recommendation of establishing weekly food waste drop-off centers and will not be implemented because it is not warranted and is not reasonable. Residents are unlikely to walk or drive their food waste over to a neighborhood drop off center thereby resulting in minimal diversion, possible contamination, and expenditure of City resources that are already designated for more effective programs. While the City supports a backyard composting program (in 2019, the City held four composting workshops

which had a total of 150 attendees), and hosts four neighborhood gardens, weekly food waste drop-off centers are not likely to divert much food waste.

The City of Glendale intends to focus its resources on implementing SB 1383 food waste diversion requirements by January 2022; namely that collection of food waste diversion will be required of all residences, multi-family properties, and covered commercial generators. Collecting from commercial and residential generators is more likely to be more effective than regional drop-off centers.

Recommendation 1.3: County and city officials should create an incentive program for residents and businesses to separate food waste. This could be in the form of a gift card to a local grocery store/farmer's market, or a discount on a solid waste fee. For example, in the City of Santa Barbara, 150 businesses (restaurants, grocery stores, coffee shops, etc.) have signed up for the City's Foodscrap program, and can save several hundred dollars a month off their trash collection fee.

City's Response: The City of Glendale disagrees with the recommendation and will not be implemented because it is not warranted and is not reasonable. Starting in January, collection of food waste will be required of all residences, multi-family properties, and covered commercial generators under SB 1383. Since food waste diversion is mandated by law, no incentives are necessary. The City is required by the State to have organic waste recycling systems in place by January 2022 and begin enforcement actions of the systems beginning January 2024 and is currently revising its Municipal Code to this effect. The City does have a Green Business Certification Program that gives recognition and a small financial award for implementing green practices.

Recommendation 1.8: County officials should modify contracts with food vendor companies that are inside County facilities, such as the Hollywood Bowl, the Arboretum, the Los Angeles County Museum of Art, and cafeterias located at County hospitals, to include food waste separation and recycling. Especially at the Hollywood Bowl, which draws more than 17,000 people for most of its summer concert events, has several food options onsite, and traditionally draws large pre-concert picnicking crowds, implementing a food waste recycling program can be part of a public education campaign.

City's Response: The City does not disagree with this recommendation; however, the City of Glendale will not implement this recommendation as it pertains to County facilities. The City of Glendale cannot comment on practices within County facilities. Under SB 1383, there are specific food waste and edible food recovery requirements for events and venues. The City intends to adopt these requirements for events and venues as part of a regulatory overhaul planned during 2021.

Recommendation 1.14: Elected officials in the County and cities should adopt the 11 suggestions in the March 2018 Countywide Organics Waste Management Plan and express support for the need to increase capacity and site and build new facilities to handle organic waste.

City's Response: The City intends to implement (if not already implemented) many of the suggestions from the Countywide Organics Waste Management Plan to the extent they align with State law mandating organics recycling. The City's proposed response to the 11 suggestions are summarized as follows.

1. **Commercial Recycling Ordinance** - *Adopt an ordinance with requirements for businesses and haulers to achieve specified recycling requirements (if not already in place). Includes system to quantify recovery, monitor compliance with requirements and methods for enforcement action as necessary.*

The City of Glendale is currently reviewing an ordinance with AB 341 and AB 1826 recycling requirements for businesses and haulers, and anticipates ordinance adoption by January 2021. State regulations for implementing SB 1383 organics diversion are currently being finalized, after which the State will release model ordinance language for consideration by jurisdictions later this year. The City expects to use this language as a basis for its regulatory overhaul during 2021 to include compliance and enforcement programs as required under SB 1383.

2. **SFR Recycling Ordinance** - *Adopt an ordinance establishing organic collection requirements on properties not subject to AB 1826 including but not limited to single-family residential (SFR) dwellings and multi-family residential dwellings with 2-4 units. Includes system to quantify recovery, monitor compliance with requirements and methods for enforcement action as necessary.*

The City of Glendale intends to adopt an ordinance with requirements for single-family residential food waste collection. State regulations for implementing SB 1383 are presently being finalized, after which the State will release model ordinance language for consideration by jurisdictions. As these model ordinances are expected later this year. The City expects to use this language as a basis for its regulatory overhaul during 2021 to include all relevant elements required under SB 1383.

3. **Self-Haul Standards** - *Establish standards or requirements for self-haul (landscapers and other qualified providers) to meet recycling requirements. Includes reporting requirements and audit procedures to ensure minimum standards are being met as well as licensing requirements.*

A jurisdiction may have relatively easy oversight over commercial haulers, where investment in collection equipment is substantial and compliance can be verified by the presence of a storage container. The City can monitor the activities of 30-40 haulers with relative ease. However, the fact that a high percentage are likely to operate without a business license and operate in an environment that has traditionally been unregulated due to low public health-related impacts, self-haulers are considerably more difficult to regulate and monitor.

The City of Glendale is currently implementing a self-haul identification program, where businesses that self-haul any recycling or organic material (including multi-family properties that utilize the services of a landscaper) will be required to provide documentation to the City to that effect.

4. **Flow control** – *Flow control to direct material collected to qualified processing or composting facilities.*

Food waste collected by the City will be incorporated into the green waste and delivered to facilities able to process the material. The City is currently evaluating obtaining disposal capacity agreements with qualified organics processing facilities.

Private haulers operating through the City of Glendale operate throughout the Los Angeles basin. Their collected organics are delivered to facilities with the ability to process materials. It should be noted that "flow control" must be exercised with caution, to insure non-interference with Interstate Commercial Commission requirements.

5. **Contract Modification** - *Modify existing contract or establish a new trash collection contract or franchise to include specified recycling requirements. Such action may include contract language modifications, separation of commercial/multi-family collection into separate contract(s), extension of existing contracts or franchises or qualified licensing. Should include provisions for quantifying recovery, reporting compliance and enforcement actions.*

The City of Glendale is in the process of revising contractual hauling requirements to insure compliance with AB 341, AB 1826 as well as SB 1383 requirements. SB 1383 model regulatory language is anticipated to be released by CalRecycle in 2020, including jurisdictional reporting, compliance and enforcement requirements that the City intends to implement by the January 2022 deadline, and would satisfy this recommendation.

6. **Exclusive Commercial Hauling** - *Establish new trash collection contracts or franchises with commercial or other exclusivity clauses and specified recycling requirements. Should include provisions for quantifying recovery, reporting compliance and enforcement actions.*

The City of Glendale is in the process of revising contractual hauling requirements to insure compliance with AB 341, AB 1826 as well as SB 1383 requirements. SB 1383 model regulatory language is anticipated to be released by CalRecycle in 2020, including jurisdictional reporting, compliance and enforcement requirements that the City intends to implement by the January 2022 deadline, and would satisfy this recommendation.

7. **Source Separated Organics Collection** - *Modify existing contract or establish a new trash collection contract or franchise to require the hauler to provide separate collection of organic waste to entities (i.e., residential and commercial) that generate organic waste and deliver the material to a qualified organics recycling or composting facility. Should include provisions for quantifying recovery, reporting compliance and enforcement actions.*

The City of Glendale is in the process of revising contractual hauling requirements to insure compliance with AB 341, AB 1826 as well as SB 1383 requirements. SB 1383 model regulatory language is anticipated to be released by CalRecycle in 2020, including jurisdictional reporting, compliance and enforcement requirements that the City intends to implement by the January 2022 deadline, and would satisfy this recommendation.

8. **Wet/Dry Collection** - *Require the hauler to provide 2 or more separate bins for wet/dry commercial collection system in which the contents of certain bins are delivered to a materials recovery facility with organics extraction technology. Should include provisions for quantifying recovery, reporting compliance and enforcement actions.*

Some commercial haulers are able to collect all materials as single stream and deliver the mixed waste to a certified high diversion processing facility as allowed under SB 1383. The City intends to allow that practice, and insure that such haulers inform their customers of the sorting capacity of their program.

9. **Incentives** - *Provides incentives for participation in organics collection by implementing subsidies to offset the incremental costs of collection, separation and processing of organics*

to the degree necessary to change behavior and establish a successful base program. Should include provisions for quantifying recovery and reporting compliance to maintain eligibility for incentives.

The City of Glendale does not charge for recycling or green waste collection as an incentive to maximize diversion. Since diversion requirements are mandated by the state under AB 341, AB 1826 and SB 1383, no incentives are necessary to encourage participation. The City will be evaluating its rate structure to account for the increased collection costs.

10. Education Only - *No change to contracts but educate businesses to comply with the law. Includes business compliance monitoring and identification of resources that would be made available to businesses to ensure compliance and build program support.*

Within the coming year, the City of Glendale intends pass an ordinance that includes AB 341 and AB 1826 compliance requirements and to dedicate staffing to inform businesses of the state and City requirements. While the City does not currently have a monitoring and compliance program (as these are made optional under AB 341 and AB 1826), it intends on developing one as required under SB 1383.

11. On-Site Management - *Provide businesses with guidance/assistance in the implementation of scalable on-site organics management aggregation methods and available technologies.*

The City of Glendale has implemented a Green Business Certification Program, which allows the review of environmental practices within the business and to seek ways to reduce environmental impacts. City staff are well versed in organics management technologies and are able to direct businesses toward relevant local technological solutions.

We thank you for the opportunity to respond to the Report. Should you have any further questions or desire any further information, please contact me or Acting City Manager, Roubik Golanian.

Sincerely,

Vrej Agajanian
Mayor

cc; Glendale City Council
Roubik Golanian, Acting City Manager
Michael Garcia, City Attorney
Yazdan Emrani, Director of Public Works