

ENERGY, CLIMATE CHANGE, ENVIRONMENTAL JUSTICE, AND RIVER COMMITTEE REPORT relative to the steps necessary to comply with State mandated Senate Bill (SB) 1383 regulations to reduce organic waste disposal by the year 2025.

Recommendations for Council action:

1. REQUEST the City Attorney with the assistance of the Bureau of Sanitation (BOS) to prepare a mandatory organics waste disposal reduction ordinance that will be in full compliance with the requirements of the State mandated SB 1383 regulations. The Ordinance should include but not be limited to the following key elements:
 - a. Require that all single family residential, multifamily residential and commercial properties must participate in the City's three bin system.
 - b. Require that all single family residential, multifamily residential and commercial properties must place the appropriate material in each bin (no contamination).
 - c. Require that commercial businesses (not multifamily) must provide recycling and organic bins inside their business wherever solid waste bins are provided.
 - d. Require that commercial businesses (not multifamily) to provide recycling and organics outreach and education.
 - e. Require that Tier one (Jan 2022) and Tier two (Jan 2024) commercial edible food generators must contract with, or enter into a written agreement with Food Recovery Organizations or Food Recovery Services.
 - f. Require that Tier one (Jan 2022) and Tier two (Jan 2024) commercial edible food generators must allow for inspection and keep records.
 - g. Require that all food rescue organizations and food recovery services must keep records, report tonnages, as well as reporting tonnage capacity.
 - h. Allow City to inspect all customer's sites for compliance and review of records enforcement.
 - i. Establish that violation of any provision of this ordinance shall constitute grounds for issuance of a Notice of Violation and/or taking Enforcement Action.
 - j. Establish a list of violations.
 - k. Set penalties for non-compliance (effective Jan 2024).

- l. Requirement for the City to procure organics.
 - m. Requirement for the City to purchase paper products with a minimum 30 percent post-consumer recycled content.
 - n. Establish the option for developing a waiver program.
 - o. Require all businesses that self-haul or back-haul organics to obtain an AB 939 Compliance Permit and maintain records.
2. INSTRUCT the BOS, City administrative Officer (CAO) and Chief Legislative Analyst (CLA) to report on potential options to mitigate the financial impact of the organics waste disposal regulations on small businesses.
 3. INSTRUCT the CLA, with the assistance from the BOS and the City Attorney, to report back with an amendment to the Ordinance to change the requirement for the City to purchase paper products from a 30 percent minimum to 100 percent post-consumer recycled content.

Fiscal Impact Statement: None submitted by the BOS. Neither the CAO nor the CLA has completed a financial analysis of this report.

Community Impact Statement: None submitted.

Summary:

On October 6, 2022, your Committee considered the September 29, 2022 BOS report relative to an update on steps necessary to comply with State mandated SB 1383 regulations to reduce organic waste disposal by 75 percent, by the year 2025. The report attached to the Council file includes some background on the matter. After providing an opportunity for public comment, the Committee moved to approve the recommendations as amended and reflected above. This matter is now forwarded to the Council for its consideration.

Respectfully Submitted,

ENERGY, CLIMATE CHANGE, ENVIRONMENTAL JUSTICE, AND RIVER COMMITTEE

<u>MEMBER</u>	<u>VOTE</u>
O'FARRELL:	YES
KORETZ:	YES
CEDILLO:	YES
DE LEON:	YES
KREKORIAN:	ABSENT