GARDENA CITY COUNCIL

Regular Meeting Notice and Agenda
Council Chamber at City Hall
1700 West 162nd Street, Gardena, California
Website: www.cityofgardena.org

Tuesday, October 26, 2021
Closed Session 7:00 p.m.
Open Session 7:30 p.m.

TASHA CERDA, *Mayor*
RODNEY G. TANAKA, *Mayor Pro Tem*
PAULETTE C. FRANCIS, *Council Member*
ART KASKANIAN, *Council Member*
MARK E. HENDERSON, *Council Member*

MINA SEMENZA, *City Clerk*
J. INGRID TSUKIYAMA, *City Treasurer*
CLINT OSORIO, *City Manager*
CARMEN VASQUEZ, *City Attorney*
LISA KRANITZ, *Assistant City Attorney*
PETER L. WALLIN, *Deputy City Attorney*

In order to minimize the spread of the COVID 19 virus Governor Newsom has signed Assembly Bill 361. Please be advised that the Council Chambers are closed to the public and that some, or all, of the Gardena City Council Members may attend this meeting telephonically.

If you would like to participate in this meeting, you can participate via the following options:

1. VIEW THE MEETING live on SPECTRUM CHANNEL 22 or ONLINE at youtube.com/CityofGardena

2. PARTICIPATE BEFORE THE MEETING by emailing the Deputy City Clerk at publiccomment@cityofgardena.org by 5:00p.m. on the day of the meeting and write "Public Comment" in the subject line.

3. PARTICIPATE DURING THE MEETING

    - Join Zoom Meeting Via the Internet: https://us02web.zoom.us/j/88313525529

    - Via Phone Conference Phone number: US: +1 669 900 9128, Meeting ID: 883 1352 5529
      Press *9 to Raise Hand and *6 to unmute when prompted.

    - If you wish to speak live on a specific agenda item during the meeting you, may use the “Raise your Hand” feature during the item you wish to speak on. For Non-Agenda Items, you would be allowed to speak during Oral Communications, and during a Public Hearing you would be allowed to speak when the Mayor opens the Public Hearing. Members of the public wishing to address the City Council will be given three (3) minutes to speak.

4. The City of Gardena, in complying with the Americans with Disabilities Act (ADA), requests individuals who require special accommodations to access, attend and/or participate in the City meeting due to disability, to please contact the City Clerk's Office by phone (310) 217-9565 or email bromero@cityofgardena.org at least 24 hours prior to the scheduled general meeting to ensure assistance is provided. Assistive listening devices are available.

The City of Gardena thanks you in advance for taking all precautions to prevent spreading the COVID 19 virus.

STANDARDS OF BEHAVIOR THAT PROMOTE CIVILITY AT ALL PUBLIC MEETINGS

- Treat everyone **courteously**;
- Listen to others **respectfully**;
- Exercise **self-control**;
- Give **open-minded** consideration to all viewpoints;
- Focus on the issues and **avoid personalizing debate**; and
- **Embrace respectful disagreement** and dissent as democratic rights, inherent components of an inclusive public process, and tools for forging sound decisions.

Thank you for your attendance and cooperation

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1. ROLL CALL

PUBLIC COMMENT ON CLOSED SESSION

The City Council will hear from the public only on the items that have been described on this agenda (GC §54954.3)

2. CLOSED SESSION

2.A CONFERENCE WITH LEGAL COUNSEL
ANTICIPATED LITIGATION
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9
(One [1] Matter)

2.B CONFERENCE WITH LABOR NEGOTIATORS
Government Code Section 54957.6
Agency Designated Representative: Clint Osorio, City Manager
Employee Organizations:

1. Gardena Police Officers Association (GPOA), Matt Hassholdt, Association President
2. Gardena Management Employees Organization (GMEO), Vicky L. Barker, Attorney
3. Gardena Municipal Employees Association (GMEA), Fred G. Quiel, Attorney
4. Confidential / Unrepresented Employees

3. PLEDGE OF ALLEGIANCE

153rd Street Elementary School
Students: Armani Martin - 5th Grade
Christopher Benitez - 4th Grade

4. INVOCATION

Presented by Mayor Pro Tem Rodney G. Tanaka

5. PRESENTATIONS

5.A "The South Bay Local Travel Network" - South Bay Cities Council of Governments Presentation

5.B Presentation by the Los Angeles County Economic Development Corporation (LAEDC) honoring the City of Gardena as a Finalist as the Most Business Friendly City - ***to be presented by Jessica Ku Kim, Vice President of Economic and Workforce Development (LAEDC)***

6. PROCLAMATIONS

7. APPOINTMENTS

8. CONSENT CALENDAR

NOTICE TO THE PUBLIC- Roll Call Vote Required On The Consent Calendar All matters listed under the Consent Calendar will be enacted by one motion unless a Council Member requests Council discussion, in which case that item will be removed from the Consent Calendar and considered separately following this portion of the agenda.

8.A Waiver of Reading in Full of All Ordinances Listed on This Agenda and that they Be Read by Title Only

8.B Approve Minutes:

Regular Meeting of the City Council, October 12, 2021
CONTACT: CITY CLERK
10122021 REGULAR Minutes Gardena CC Meeting - FINAL.pdf

8.C Receive and File of Minutes:

Planning & Environmental Quality Commission, September 21, 2021
CONTACT: COMMUNITY DEVELOPMENT
21_09_21 PCMIN.pdf

8.D Approval of Warrants/Payroll Register, October 26, 2021

CONTACT: CITY TREASURER
Warrants-Payroll Register Memo 10-26-21.pdf

8.E Personnel Report No. P-2021-19

CONTACT: HUMAN RESOURCES
PERS RPT P-2021-19 10-26-21.doc

8.F RESOLUTION NO. 6533, Reaffirming Proclamation and Resolution No. 6441, which declared the Existence of a Local Emergency

CONTACT: CITY MANAGER
Reso_No._6533-_Reaffirming_Local_Emergency.pdf

8.G RESOLUTION NO. 6535, Making the legally required findings to Re-Authorize the use of Teleconferencing in accordance with Assembly Bill 361 for meetings of the Gardena City Council and other Commissions, Committees and Boards subject to State open meeting laws

CONTACT: CITY MANAGER
RESO NO 6535.pdf

8.H Ratify Administrative Approval of the Elderly Nutrition Program Contract ENP202105 Amendment Seven.
CONTACT: RECREATION AND HUMAN SERVICES
FY 2021-22 ENP Amendment Seven

9. EXCLUDED CONSENT CALENDAR

10. PLANNING & ENVIRONMENTAL QUALITY COMMISSION ACTION SHEET

10.A OCTOBER 19, 2021, MEETING

The Planning Commission considered a development for a new soccer facility on a 1.49-acre site: SPR #8-21 to construct seven 50-foot by 98-foot soccer fields with netting, lighting, and other accessory structures; CUP #3-21 for the operation of a new soccer facility per Section 18.46.030.C.9 of the Gardena Municipal Code (GMC) and to permit parking that utilizes tandem and off-site parking per Section 18.40.080 of the GMC; revocation of CUP #4-06 for the operation of a demolition and hauling business; and direct staff to file a Notice of Exemption for a Class 32 exemption pursuant to CEQA Guidelines section 15332 for an in-fill development project.

Commission Action: The Planning Commission approved Resolution No. PC 13-21, approving Site Plan Review #8-21 and Conditional Use Permit #3- 20 subject to the attached Conditions of Approval, revoking Conditional Use Permit #4-06, and directing staff to file a Notice of Exemption for a Class 32 in-fill development.

City Council Action: Receive and file or Call for Review. *(Ordinance No. 1834 not in effect until October 29, 2021, therefore, only requires one person to call for review)*
For the Complete Planning Commission Packet CLICK HERE.
PEQC Action Sheet, October 19, 2021.pdf

ORAL COMMUNICATIONS (LIMITED TO A 30-MINUTE PERIOD)

Oral Communications by the public will be heard for one-half hour at or before 8:30 p.m. or at the conclusion of the last agenda item commenced prior to 8:30 p.m. Oral Communications not concluded at that time shall be resumed at the end of the meeting after Council Reports. Speakers are to limit their remarks to three minutes, unless extended by the Mayor. An amber light will appear to alert the speaker when two minutes are complete, and a red light will appear when three minutes are over. Your cooperation is appreciated.

11. DEPARTMENTAL ITEMS - ADMINISTRATIVE SERVICES

11.A APPROVE THREE YEAR AGREEMENT FOR PURCHASE OF SOPHOS FIREWALL ENHANCEMENT

Staff Recommendation: Approve Three Year Agreement
QT_XGS 6500 Active _ Active (Hardware).pdf
QT_ XGS 6500 Active _ Active (Software)
(1).pdf City of Gardena - SQ1163285.pdf Quote
Teracai Gardena.pdf

12. DEPARTMENTAL ITEMS - COMMUNITY DEVELOPMENT

12.A ORDINANCE NO. 1836: AN ORDINANCE ADDING A NEW CHAPTER 15.60 TO THE GARDENA MUNICIPAL CODE WHICH CHAPTER ADOPTS BY REFERENCE THE MODEL WATER EFFICIENT LANDSCAPE ORDINANCE

Staff Recommendation: Introduce Ordinance No. 1836

Ordinance 1836.pdf
Model Water Efficiency Landscaping Ordinance.pdf

13. DEPARTMENTAL ITEMS - ELECTED & ADMINISTRATIVE OFFICES

13.A ORDINANCE NO. 1835, INTRODUCTION OF AN ORDINANCE CHANGING THE DATE OF THE CITY'S GENERAL MUNICIPAL ELECTION FROM THE FIRST TUESDAY AFTER THE FIRST MONDAY IN MARCH OF EVEN-NUMBERED YEARS TO THE DATE OF STATEWIDE PRIMARY ELECTION IN EVEN-NUMBERED YEARS, IN RESPONSE TO SENATE BILL 970, ADJUSTING TERMS IN OFFICE ACCORDINGLY

Staff Recommendation:

1) Introduce Ordinance 1835, changing the date of the City's general municipal election from the first Tuesday after the first Monday in March of even-numbered years to the date of the statewide primary election in even-numbered years, in response to Senate Bill 970, and adjusting terms in office accordingly; and

2) Appropriate $14,326.00 from the General Fund for the required mailing notices.

Ordinance No 1835.pdf

13.B COVID-19 UPDATE

14. DEPARTMENTAL ITEMS - POLICE

15. DEPARTMENTAL ITEMS - PUBLIC WORKS

15.A ORDINANCE NO. 1837, REPEALING CHAPTER 8.20 OF THE GARDENA MUNICIPAL CODE, ADOPTING A NEW UPDATED CHAPTER 8.20 AND UPDATING CHAPTER 2.60 OF THE GARDENA MUNICIPAL CODE TO INCORPORATE PROVISIONS OF SENATE BILL 1383 AND REGULATIONS ADOPTED BY CALRECYCLE

Staff Recommendation: Introduce Ordinance No. 1837

Ordinance_No._1837.pdf
Ordinance No. 1837_Redline Version.pdf

16. DEPARTMENTAL ITEMS - RECREATION & HUMAN SERVICES

17. DEPARTMENTAL ITEMS - TRANSPORTATION

18. COUNCIL ITEMS

19. COUNCIL DIRECTIVES

20. CITY MANAGER REMARKS RE: DIRECTIVES / COUNCIL ITEMS

21. COUNCIL REMARKS

1. COUNCIL MEMBER HENDERSON
2. COUNCIL MEMBER FRANCIS
3. MAYOR PRO TEM TANAKA
4. MAYOR CERDA
5. COUNCIL MEMBER KASKANIAN

22. ANNOUNCEMENT(S)

23. REMEMBRANCES

Philip Felix Mendoza, 79 years of age, and a 79-year resident of Gardena; beloved husband, father, grandfather, great grandfather and great, great grandfather, who will be truly missed by all; **Gloria L. Pasley**; 58 years of age and a long time Gardena resident; and **Michell Turner**; 50 years of age and lived in Gardena for 50 years.

24. ADJOURNMENT

The Gardena City Council will adjourn to the Closed Session portion of the City Council Meeting at 7:00 p.m. followed by the Regular City Council Meeting at 7:30 p.m. on Tuesday, November 16, 2021.

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted in the City Hall lobby not less than 72 hours prior to the meeting. A copy of said Agenda is available on our website at www.CityofGardena.org. Dated this 22nd day of October 2021

/s/ MINA SEMENZA
MINA SEMENZA, City Clerk

MINUTES
Regular Meeting of the
Gardena City Council
Tuesday, October 12, 2021

In order to minimize the spread of the COVID 19 virus, Governor Newsom has signed Assembly Bill 361. Please be advised that the Council Chambers are closed to the public and that some, or all, of the Gardena City Council Members may attend this meeting telephonically.

The Regular Meeting Notice and Agenda of the Gardena City Council of the City of Gardena, California, was called to order at 7:32 PM on Tuesday, October 12, 2021, in the Council Chamber at City Hall 1700 West 162nd Street, Gardena, California.

1. ROLL CALL

Present: Mayor Tasha Cerda; Mayor Pro Tem Rodney G. Tanaka; Council Member Mark E. Henderson; Council Member Art Kaskanian; and Council Member Paulette C. Francis. Other City Officials and Employees present: City Manager Clint Osorio; City Attorney Carmen Vasquez; and City Clerk Mina Semenza.

2. CLOSED SESSION – *No Items*

3. PLEDGE OF ALLEGIANCE

Brandon Castillo led the Pledge of Allegiance. Brandon was selected to lead us in the Pledge of Allegiance because of his good grades and because he is always safe, respectful, and responsible.

4. INVOCATION

Mayor Pro Tem Rodney G. Tanaka led the Invocation.

5. PRESENTATIONS – *No Items*

6. PROCLAMATIONS

6.A "Gardena Red Ribbon Week," October 23 through October 31, 2021
- was accepted by Traci Saruwatari, Community Organizer for AADAP (Asian American Drug & Alcohol Abuse Program) and Advisor to G-DAAP (Gardena Drug & Alcohol Prevention) Gardena High School Task Force.

7. APPOINTMENTS – *No Appointments were made*

8. CONSENT CALENDAR

8.A Approve Minutes:
Regular Meeting of the City Council, September 28, 2021
CONTACT: CITY CLERK

8.B Approval of Warrants/Payroll Register, October 12, 2021
CONTACT: CITY TREASURER

October 12, 2021: Wire Transfer: 12066-12068; Prepay: 164809-164812; Check Nos. 164813 -164964 – for a total Warrants issued in the amount of $2,163,064.52 Total Payroll Issued for October 8, 2021: $1,547,751.37.

8.C Personnel Report No. P-2021-18
CONTACT: HUMAN RESOURCES

8.D RESOLUTION NO. 6525. Addendum to Reso No. 6332 and repealing Reso No. 6488, Lifting freezes for unrepresented/confidential positions
CONTACT: HUMAN RESOURCES

RESOLUTION NO. 6525

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, ADDENDUM TO RESOLUTION NO. 6332, AND REPEALING RESOLUTION NO. 6488, LIFTING FREEZES FOR UNREPRESENTED/CONFIDENTIAL POSITIONS

It was moved by Mayor Pro Tem Tanaka, seconded by Council Member Kaskanian, and carried by the following roll call vote to Approve all Items on the Consent Calendar:

Ayes: Mayor Pro Tem Tanaka and Council Members Kaskanian, Henderson, Francis, and Mayor Cerda

Noes: None
Absent: None

9. EXCLUDED CONSENT CALENDAR

10. PLANNING & ENVIRONMENTAL QUALITY COMMISSION ACTION SHEET

10.A OCTOBER 5, 2021 MEETING - ***Meeting Cancelled***

ORAL COMMUNICATIONS – ***No Speakers***

11. DEPARTMENTAL ITEMS - ADMINISTRATIVE SERVICES – *No Items*

12. DEPARTMENTAL ITEMS - COMMUNITY DEVELOPMENT

12.A CONTRACT BUILDING SERVICES AGREEMENT WITH BPR CONSULTING GROUP, INC. TO PROVIDE BUILDING OFFICIAL AND OTHER PLAN AND PERMIT PROCESSING SERVICES

City Manager Osorio presented the Staff Report.

Ron Beehler of BPR Consulting Group, Inc., gave a presentation.

There was a discussion which included Mayor, Council, City Manager Osorio, City Attorney Vasquez, and Community Development Director Greg Tsujiuchi. CDD Director Tsujiuchi explained that this consultant is not here to replace our current city staff, we've have gone through some unprecedented times, we are falling behind because of that. It was also stated City Manager Osorio then further explained that we did not go to an RFP because it was an emergency situation; we needed a good solid fix for this problem. City Attorney Vasquez then informed Council that there is a 3-day written termination clause in the contract. Mr. Beehler addressed all of Council's concerns and stated that they will be looking at the current operation of the department, will be in frequent communication, you will have one consultant, who will provide monthly updates. He then further stated that because of our experience, we could adequately be responsible for the building department, we want to manage the staff effectively.

It was moved by Mayor Pro Tem Tanaka, seconded by Council Member Kaskanian, and carried by the following roll call vote to Approve Contract with BPR Consulting Group, Inc:

Ayes: Mayor Pro Tem Tanaka and Council Members Kaskanian, Henderson, and Mayor Cerda
Noes: Council Member Francis
Absent: None

13. DEPARTMENTAL ITEMS - ELECTED & ADMINISTRATIVE OFFICES

13.A APPROVAL OF THE 2021-2025 MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE CITY OF GARDENA AND THE GARDENA MUNICIPAL EMPLOYEES ASSOCIATION (GMEA)

City Manager Osorio presented the Staff Report.

Mayor Cerda thanked all the parties involved.

Council Member Kaskanian thanked everyone especially the employees for waiting all this time and coming into an agreement. Council Member Francis stated, as a union member herself, she appreciates everyone coming into an agreement, and thanked everyone for all their hard work. Council Member Henderson commented on the vacation cap, and if you are required to work at a particular event, vary rarely do we deny vacation requests, wants to make sure there is some flexibility. Mayor Pro Tem Tanaka stated, at one point he was president of GMEO, and wants to applaud and thank City Manager, city staff, the employees of GMEA; our city is in a good position right now for all the sacrifices that were made.

It was moved by Council Member Henderson, seconded by Mayor Pro Tem Tanaka, and carried by the following roll call vote to Approve the MOU and authorize the City Manager to execute the MOU with a term of July 1, 2021 through June 30, 2025:

Ayes: Council Member Henderson, Mayor Pro Tem Tanaka, and Council Members Kaskanian, Francis, and Mayor Cerda
Noes: None
Absent: None

13.B DISCUSSION AND CONSIDERATION REGARDING RESUMING IN-PERSON MEETINGS OF THE GARDENA CITY COUNCIL AND ITS LEGISLATIVE BODIES AND CONSIDERATION OF RESOLUTION NO. 6534 TO AUTHORIZE REMOTE TELECONFERENCING MEETINGS IN ACCORDANCE WITH NEWLY ADOPTED GOVERNMENT CODE SECTION 54953(e) (AB 361)

City Manager Osorio presented the Staff Report.

There was a discussion which included Mayor, Council, City Manager Osorio, and City Attorney Vasquez. Council expressed their concerns about meeting in person and the restrictions that would need to be met. City Manager Osorio and City Attorney Vasquez explained the ramifications of each of the options being presented. Council agreed that revisiting reauthorization every 30 days would be the most beneficial.

It was moved by Council Member Henderson, seconded by Council Member Kaskanian, and carried by the following roll call vote to Option 2: Commencing October 26, 2021, conduct public meetings virtually for meetings of all public bodies subject to the Brown Act in accordance with the requirements of AB 361; and adopt Resolution No. 6534, which will require reauthorization every 30 days:

Ayes: Council Members Henderson, Kaskanian, Mayor Pro Tem Tanaka and Council Member Francis, and Mayor Cerda
Noes: None
Absent: None

13.C COVID-19 UPDATE

City Manager Osorio presented an update.

Council Member Kaskanian asked if the PCR Test being offered at the testing site in our city was valid and acceptable at the airport. City Manager Osorio confirmed that yes, it is a valid test.

14. DEPARTMENTAL ITEMS – POLICE – *No Items*

15. DEPARTMENTAL ITEMS - PUBLIC WORKS

15.A AWARD ENGINEERING DESIGN SERVICES CONTRACT FOR THE LOCAL STREET IMPROVEMENTS FISCAL YEARS 2020-2022 PROJECT.

City Manager Osorio presented the Staff Report.

Council Member Kaskanian commented on the great reviews DMS Consultants, Inc. has received.

It was moved by Council Member Francis, seconded by Council Member Kaskanian, and carried by the following roll call vote to Award Engineering Design Services Contract to DMS Consultants, Inc. in the amount of $149,650 for the Local Street Improvements Project Fiscal Years 2020-2022, JN 987 & 994:

Ayes: Council Members Francis, Kaskanian, Mayor Pro Tem Tanaka and Council Member Henderson, and Mayor Cerda
Noes: None
Absent: None

15.B ACTIONS RELATING TO ROWLEY PARK BASEBALL DIAMOND RESTROOM REHABILITATION PROJECT - SITE PREPARATION, JN 968.

City Manager Osorio presented the Staff Report.

There was a discussion which included Mayor, Council, City Manager Osorio, and Public Works Director Allan Rigg. Council expressed their concerns regarding the signage, the hours they would be open, and if the auditorium bathrooms would be included. City Manager Osorio and PW Director Rigg answered all their questions and explained that the auditorium restrooms would be part of the Park Master Plan.

It was moved by Council Member Kaskanian, seconded by Council Member Henderson, and carried by the following roll call vote to Award Construction Contract for the Rowley Park Baseball Diamond Restroom Rehabilitation Project (Site Preparation), JN 968, to Deark E&C, Inc., Gardena California, in the amount of $105,550.00; Approve the project plans and specifications; Approve a budget transfer of $119,000 Park in-lieu funds from JN 961 Bell Park Rehabilitation Project to JN 968 Rowley Park Baseball Diamond Restroom Rehabilitation Project; Declare this project to be categorically exempt under the California Environmental Quality Act, Section 15302, Class II, as replacement of existing facilities:

Ayes: Council Members Kaskanian, and Henderson, Mayor Pro Tem Tanaka and Council Member Francis, and Mayor Cerda
Noes: None
Absent: None

15.C CITYWIDE WAYFINDING / ENTRY SIGN PROGRAM PROJECT, JN 507.

City Manager Osorio presented the Staff Report.

Public Works Director Allan Rigg shared the presentation; David Volz of David Volz Design gave the presentation and was available for any questions.

There was a discussion which included Mayor, Council, City Manager Osorio, Public Work's Director Allan Rigg, and Mr. David Volz. PW Director Rigg and Mr. Volz answered all of Council's questions and concerns. Mr. Volz then explained that the work is a 3-step process which includes 1) Concept Development (identify routes and landmarks, go over general parameter, size, color, layout, and placement); 2) Getting community input and preparing map locations and installation specifications; and 3) Bringing it back to Council and finalize the Concept Plan.

Public Speaker: Zahid Ahmed suggested putting digital signs throughout our major thoroughfares, ones that displays the time and advertisements for the City; he also asked if the funds could be replenished to incorporate trees on our medians.

It was moved by Mayor Pro Tem Tanaka, seconded by Council Member Francis, and carried by the following roll call vote to Approve a Budget Appropriation in the amount of $100,000.00, Gas Tax funds, to begin the design phase of the Citywide Wayfinding / Entry Sign Program Project, JN 507:

Ayes: Mayor Pro Tem Tanaka and Council Members Francis, Henderson, Kaskanian, and Mayor Cerda
Noes: None
Absent: None

16. DEPARTMENTAL ITEMS - RECREATION & HUMAN SERVICES – *No Items*

17. DEPARTMENTAL ITEMS - TRANSPORTATION

17.A APPROVE AMENDMENT TO AGREEMENT WITH ITERIS, INC. FOR ADDITIONAL TRAFFIC SIGNAL/ENGINEERING SERVICES FOR $233,237 AND A PROJECT TOTAL OF $268,223

City Manager Osorio presented the Staff Report.

It was moved by Council Member Kaskanian, seconded by Council Member Francis, and carried by the following roll call vote to Approve Amendment:

Ayes: Council Members Kaskanian, Francis, Mayor Pro Tem Tanaka and Council Member Henderson, and Mayor Cerda
Noes: None
Absent: None

17.B APPROVE GTRANS PARTICIPATION IN LOS ANGELES COUNTY METRO'S PILOT FARELESS SYSTEM INITIATIVE (GOPASS) PROVIDING FREE FARES FOR K-12 AND COMMUNITY COLLEGE STUDENTS

City Manager Osorio presented the Staff Report.

There was a discussion which included Mayor, Council, City Manager Osorio, and Transportation Director Ernie Crespo. Council expressed all their concerns which City Manager Osorio and Transportation Director Crespo responded.

It was moved by Council Member Francis, seconded by Council Member Henderson, and carried by the following roll call vote to Approve Participation:

Ayes: Council Members Francis, Henderson, Mayor Pro Tem Tanaka, and Council Member Kaskanian
Noes: Mayor Cerda
Absent: None

18. COUNCIL ITEMS – *No Items*

19. COUNCIL DIRECTIVES

Council Member Francis

1. While attending the District 1 Neighborhood Watch Meeting, it was mentioned that the neighbors are having problems with parking; signs are too far apart. One of the officers said there is an Ordinance about sign placement. Lieutenant Cuff would look into it. Can we look into getting more frequent signs? Council Member Henderson seconded it.

2. Asked if staff could look into the traffic lights in our city; she noticed that the City of Hawthorne's traffic signals make a chirping sound which would help the sight impaired. Mayor Cerda seconded it.

Mayor Cerda

1. Asked if staff could look into replacing the trees that are at Fire station 158, the needles from the pines are causing problems. Council Member Kaskanian seconded it.

2. Asked if we can get a report as it relates to flavored tobacco and the number of shops in our city that are selling flavored tobacco. Mayor Pro Tem seconded it.

20. CITY MANAGER REMARKS RE: DIRECTIVES / COUNCIL ITEMS

City Manager Osorio gave a verbal report of information to follow-up on matters that had been directed or requested by the Mayor and Members of Council. Those items were, as follows:

1. Memo - Analysis report from City Attorney Vasquez, regarding the possibility of annexing properties south of the city's southern boundary.
2. Gardena Police Pink Patch Project, selling a limited supply of pink patches for $10.00 each. Purchases can be made at Gardena Police Department front counter from Monday-Thursday 7:00 a.m. - 5:00 p.m. Please contact Stephanie Escalante at 310-217-9689 or email sescalante@gardenapd.org with any questions.
3. DEA National Rx TakeBack. Turn in your unused or expired medication for safe disposal. Drop off location (in front of Gardena PD) 1718 W. 162nd St., Saturday, October 23rd,10:00 a.m. - 2:00 p.m. For more information contact, Traci Saruwatari: 323-293-6284 or email: tsaruwatari@aadapinc.org.
4. Video - Recreation and Human Services Department: 11th Annual Food, Wine & Brew Festival; GTrans Tailgate Event; FurBaby LoveFest and Upcoming Events. City Manager Osorio thanked Stephany Santin and Recreation and Human Services staff for making our events very successful.
5. Video - Hispanic Heritage Month Celebrating Hispanic Community Leaders making an impact in the 2nd District. Community Engagement Award goes to Stephany Santin.

21. COUNCIL REMARKS

1. COUNCIL MEMBER FRANCIS – Since the last meeting Council Member Francis attended LAUSD Redistricting Commission Meeting, the Town Hall Meeting at LAUSD to plan an increase achievement for Black Students; Dr. George McKenna is the organizer, she also attended the Holly Park Neighborhood Watch meeting for District 1, and the Fur Baby Lovefest Event. Council Member Francis congratulated Stephany Santin for her award from Supervisor Holly Mitchell. Also added more names to celebrate Hispanic Heritage and mentioned City Attorney Vazquez, Attorney General Xavier Becerra, and remembered Senator Dolores Huerta who worked along with Cesar Chavez. Council Member Francis shared that President Obama coined a phrase “Si Se Puede” (Yes, We Can) from Cesar Chavez. She then mentioned Alberto Gonzalez as he was the first United States Attorney General appointed by George Bush and Dan Medina was the first Mexican American to serve on the Gardena City Council. Lastly, encouraged everyone to keep wearing a mask, wash hands, and continue to social distance to fight COVID-19.

2. MAYOR PRO TEM TANAKA – Since the last meeting Mayor Pro Tem Tanaka attended the South Bay COG Steering Committee Meeting, Wine Food & Brew Festival, G-Trans Tailgate Party, and Fur Baby Love Fest Event. Mayor Pro Tem Tanaka thanked Stephany and her staff for the great work and thanked G-Trans for sponsoring the Tailgate Party. Then, he shared the Fur Baby Lovefest Event will have to be yearly since there was a great turnout. Lastly, mentioned the Gardena sign in front of City Hall is purple and thanked staff as that’s his favorite color.

3. COUNCIL MEMBER KASKANIAN – Council Member Kaskanian thanked staff for the Food Wine and Cigar Festival as it was a great event and congratulated Stephany on her award from Supervisor Holly Mitchell.

4. MAYOR CERDA – Mayor Cerda attended the Employee Recognition Event, thanked all employees for their hard work and thanked her fellow colleagues for their leadership and hard work. Since the previous meeting Mayor Cerda attended the Fall Games at Freeman Park, was a Grand Marshall for the Gardena High School Homecoming Game, Food Wine and Brew Festival, and Tailgate Party. Mayor Cerda thanked staff for the Food Wine and Brew Festival and the Tailgate Party. She also apologized for not attending the Fur Baby Lovefest event. Mayor Cerda mentioned Gardena residents were concerned as it was mentioned Governor Newson was in Gardena signing SB 2 and residents not being notified. Mayor Cerda then shared Council did not find out until the very last minute and unfortunately both the Mayor and Council were not invited to the event. She also spoke with the Governor's staff and when she inquired about the event and not being invited, she was told it was a result of State Senator Steven Bradford. Mayor Cerda still attended the event that day and found out other members such as Mayor of Compton and Mayor of Lawndale were invited. Lastly, she stated it was a real disservice from the Governor's office to come to the City of Gardena after council supported him on the recall election and residents would have appreciated being able to see the Governor.

5. COUNCIL MEMBER HENDERSON – Since the last meeting Council Member Henderson attended the Mobility21 Conference, BizFed Broadband Conference, and Food Wine and Brew Festival. Councill Member Henderson thanked Stephany Santin and staff for their work. He also commented on the new layout and shared everyone liked it. He also wanted to recognize Hispanic Heritage Month and shared he has had the pleasure of meeting City Attorney Vasquez family. He met her sister who is also an attorney, her brother Fernando and shared the city is lucky to have Attorney Vasquez. Council Member Henderson wanted to acknowledge President Joe Biden for recognizing the first Indigenous People's Day this year. Lastly, he mentioned that he will be attending a meeting with Bizfed Responsible Governance Committee.

22. ANNOUNCEMENT(S)

Mayor Cerda announced:

1. Helping Hands 2021 Holiday Toy Drive. City Employees please support our Helping Hands Program by donating new unwrapped toys for all ages. Beginning Monday, October 11, 2021, through Friday, December 3, 2021. Items needed: All age toys, books, art supplies, board games, sport equipment & gift cards. Donations can be dropped off at the following locations: City Hall; Human Services Department; G-Trans; Nakaoka Community Center and Gardena Police Department. For more information contact the Human Services Department at (310)217-9574 or helpinghands@cityofgardena.org.

2. Flyer - City of Gardena First Environmental Justice Survey - We want to hear from you! Survey will be made available until Friday, November 5th, link to the public survey can be found on the City's website at cityofgardena.org/environmental-justice-element or scan the QR code shown on the screen. If you have any questions, please contact the Planning Division at (310) 217-9527 or email CDDPlanningandZoning@cityofgardena.org.

23. REMEMBRANCES

Herbert Leo Wildfeuer; 84 years of age, longtime Gardena resident who had a successful career developing rental properties in Gardena.

24. ADJOURNMENT

At 11:15 p.m., Mayor Cerda adjourned the Gardena City Council Meeting to the Closed Session portion of the City Council Meeting at 7:00 p.m., and the Regular City Council Meeting at 7:30 p.m. on Tuesday, October 26, 2021.

MINA SEMENZA
City Clerk of the City of Gardena and
Ex-officio Clerk of the Council

APPROVED:

_____ By:_____

Tasha Cerda, Mayor Becky Romero, Deputy City Clerk

MINUTES
Regular PEQC Meeting Notice and Agenda of the
Planning and Environmental Quality Commission
Tuesday, September 21, 2021

The Regular PEQC Meeting Notice and Agenda of the Planning and Environmental Quality Commission of the City of Gardena, California, was called to order at 7:00 PM on Tuesday, September 21, 2021, at 1700 W. 162nd Street, Gardena, California.

PARTICIPATE DURING THE MEETING VIA ZOOM

Join Zoom Meeting Via the Internet or Via Phone Conference

- Direct URL: **https://us02web.zoom.us/j/89879102460**
- Phone number: US: +1 669 900 9128, or +1 346 248 7799 or +1 253 215 8782 or +1 646 558 8656 or +1 301 715 8592 or +1 312 626 6799
- International numbers available: https://us02web.zoom.us/u/kbyauD47m
- Meeting ID: 898 7910 2460

1. **CALL MEETING TO ORDER**

2. **ROLL CALL**

   Present: Vice Chair Deryl Henderson; Chair Stephen P Langley; Member Dale R Pierce; Member Jules Kanhan.
   Absent: Member Steve Sherman.

3. **APPROVAL OF MINUTES**

   3.A AUGUST 17, 2021

   It was moved by Dale R Pierce, seconded by Stephen P Langley, and passed by the following vote to approve

   Ayes: Dale R Pierce, Stephen P Langley, Jules Kanhan
   Noes: None
   Abstain: Deryl Henderson
   Absent: Steve Sherman

4. **ORAL COMMUNICATIONS**

Chair Langley invited anyone from the public to speak on any issues not on the agenda, however, there was no one from the public in attendance and hence there were no oral communications.

Vice Chair Henderson discussed a property east of the shopping center where Fishbone and Rib Nest restaurants are located. He mentioned the property is unmaintained and asked what can be done to improve the condition.

Ms. Acuna stated she is aware that complaints have been made to the Code Enforcement Division.

Vice Chair Henderson mentioned it is an eye sore and it should be screened.

Assistant City Attorney Kranitz stated it will be referred to the Code Enforcement Division.

5. **PRESENTATIONS**

5.A **2021-2029 Draft Housing Element Update, Environmental Justice Element, and Safety Element Update**

After several months of outreach with the community and numerous workshops with City Council and Commissions, the Draft Housing Element for 2021-2029 has been released for public review. The Draft Plan will be posted on the City's website for several weeks before it is formally submitted to the State's Housing and Community Development (HCD) Department to allow additional time for general public review. Staff will also be presenting on the City's new Environmental Justice Element and Safety Element Update.

A copy of the Draft Housing Element can be found on the City's website at: https://cityofgardena.org/wp-content/uploads/2021/09/Gardena-Draft-HE-09-08-21.pdf

Information on the City's Environmental Justice Element can be found here: https://cityofgardena.org/environmental-justice-element/

Commissioner Sherman entered the meeting around 7:06 p.m. and stated he was having trouble joining on his computer. He stated his displeasure with the Zoom link and mentioned it needs to be repaired. He stated he is in attendance over the phone.

Ms. Acuna gave the staff presentation. She stated the City's housing consultant, Veronica Tam, gave a presentation to the City Council last week on the draft Housing Element. She stated the Housing Element is a required element in the General Plan. She explained this is the sixth cycle which covers an eight-year period from 2021-2029. She described the goals and policies and discussed some of the changes in the draft Housing Element. She mentioned the City's responsibility to accommodate housing sites to meet the regional housing needs assessment (RHNA) and the new requirement to affirmatively furthering fair housing. She discussed the housing programs from the last cycle that are being continued and those that will be updated.

Commissioner Sherman asked about inclusionary housing.

Ms. Kranitz explained that an inclusionary housing program could be implemented to require a certain percentage of affordable units in housing projects.

Ms. Acuna discussed some of the obstacles to providing housing and the challenges in providing adequate housing sites. She discussed the sites inventory process, religious facility and institutional use housing overlay, and accessory dwelling units. She indicated the City was allocated 5,735 units under RHNA. She explained the four housing overlays being proposed and displayed the overlay maps that have been prepared. She discussed the religious institution overlay and the sites that have been added to the map. She stated a developer is interested in building housing on the Gardena Bowl property and that it has been added to the O4 district. She mentioned the Draft Housing Element will be presented to the Department of Housing and Community Development (HCD) by the end of the month. The final adoption is expected to go to City Council in January 2022.

Ms. Acuna stated the City's consultant, De Novo, is also working on the City's Environmental Justice Element. More information is provided on the City's website. In the next couple of months, the City will be working on the Environmental Justice Element and hopes to have it adopted alongside the Housing Element. Ms. Acuna stated De Novo is also preparing the Safety Element Update which will also go to the City Council for adoption.

Ms. Kranitz further explained the adoption deadlines and when the City expects to have these elements adopted.

6. **PUBLIC HEARING ITEMS**
None.

7. **COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**
Community Development Director Tsujiuchi stated the Planning Commissioners Academy is in San Ramon, CA, from March 16-18, 2022.

8. **PLANNING & ENVIORNMENTAL QUALITY COMISSIONERS' REPORTS**

Commissioner Sherman stated the Housing Element discussion seems exciting but out of the Commission's hands since it is required by the State.

Ms. Kranitz stated SB 8, 9, and 10 were recently signed by the governor and gave a brief overview.

Commissioner Pierce stated the commissioner's training coincides with St. Patrick's Day but should not disrupt celebrations.

Chair Langley asked about parking and the distance to a transit stop.

Ms. Kranitz discussed the issue of reduced parking and improving the transit system. She stated we cannot require parking above and beyond what the State requires for certain uses.

Chair Langley mentioned he read that the parking reduction would have no effect on neighborhoods. He stated there are two perspectives and people are not using public transit as expected.

9. **ADJOURNMENT**
Chair Langley adjourned the meeting at 7:48 PM.

Respectfully submitted,

GREG TSUJIUCHI, SECRETARY
Planning and Environmental Quality Commission

STEPHEN LANGLEY, CHAIR
Planning and Environmental Quality Commission

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: City Treasurer's Office

DATE: October 21, 2021

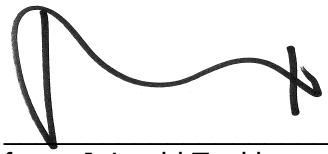
SUBJECT: WARRANT REGISTER
PAYROLL REGISTER

October 26, 2021	TOTAL WARRANTS ISSUED:	$1,999,433.87

Wire Transfer: 12069-12072
Prepay: 164965-164967
Check Numbers: 164968-165181
Checks Voided:

Total Pages of Register: 25

October 22, 2021	TOTAL PAYROLL ISSUED:	$1,941,509.69



for J. Ingrid Tsukiyama, City Treasurer

cc: City Clerk

Bank code : usb

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
12069	10/13/2021	419630 U.S. BANK	1832688		TAXABLE LEASE REVENUE REFUNDIN	220,466.83
					Total :	**220,466.83**
12070	10/12/2021	104058 ADMINSURE INC.	101221		WORKERS' COMP CLAIMS ADMINISTR/	54,153.05
					Total :	**54,153.05**
12071	10/18/2021	106110 ADVANCED BENEFIT SOLUTIONS, LLC	101821		HEALTH INSURANCE CLAIMS	120,402.27
					Total :	**120,402.27**
12072	10/18/2021	106110 ADVANCED BENEFIT SOLUTIONS, LLC	101221		HEALTH INSURANCE CLAIMS	126,955.11
					Total :	**126,955.11**
164965	10/12/2021	111016 KAISER FOUNDATION HEALTH PLAN	OCTOBER 2021		HEALTH INSURANCE	273,739.52
					Total :	**273,739.52**
164966	10/21/2021	109342 WHITMAN ELECTRIC	091621	024-00777	EMERGENCY TRAFFIC SIGNAL REPAIF	9,974.60
					Total :	**9,974.60**
164967	10/21/2021	111844 AUNTIES CAFE	100	034-00502	EMPLOYEE RECOGNITION CATERING	2,609.61
					Total :	**2,609.61**
164968	10/26/2021	111866 16935 VERMONT MANAGEMENT LLC	RA-MOORER		COVID-19 RENTAL ASSISTANCE PROGI	2,602.00
					Total :	**2,602.00**
164969	10/26/2021	106086 ABC COMPANIES	3241106		GTRANS AUTO PARTS	494.16
			3244572		GTRANS AUTO PARTS	252.85
					Total :	**747.01**
164970	10/26/2021	110161 ABRO, JENNIFER	11/07-11/10/21		APTA CONFERENCE & EXPO - PER DIE	150.00
					Total :	**150.00**
164971	10/26/2021	111853 ACCESS	81624		PD SHREDDING SERVICES - 09/27/21	100.00
					Total :	**100.00**
164972	10/26/2021	104058 ADMINSURE INC.	14558	023-01345	WORKERS' COMP CLAIMS ADMINISTR/	12,030.00
					Total :	**12,030.00**

Bank code : usb

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
164973	10/26/2021	101748 AFTERMARKET PARTS COMPANY LLC, THE	82469537	037-10048	GTRANS AUTO PARTS	1,768.82
			82496107	037-10048	GTRANS AUTO PARTS	362.87
			82504271	037-10048	GTRANS AUTO PARTS	147.18
			82504378	037-10048	GTRANS AUTO PARTS	918.95
			82506559	037-10048	GTRANS AUTO PARTS	1,084.19
			82508745	037-10048	GTRANS AUTO PARTS	4,840.67
					Total :	**9,122.68**
164974	10/26/2021	100925 AMERICAN MOVING PARTS	01A125195		GTRANS AUTO PARTS	1,717.12
			01A125196		GTRANS AUTO PARTS	2,088.91
					Total :	**3,806.03**
164975	10/26/2021	111364 AMERICAN UNIFORMS, INC.	120		BUS UNIFORM SUPPLIES	330.73
			121		BUS UNIFORM SUPPLIES	77.16
			122		BUS UNIFORM SUPPLIES	77.16
			131		BUS UNIFORM SUPPLIES	496.09
					Total :	**981.14**
164976	10/26/2021	110028 ANSER ADVISORY MANAGEMENT LLC	2034	037-10036	PROJECT MANAGEMENT SUPPORT- EI	1,000.00
					Total :	**1,000.00**
164977	10/26/2021	108625 ARAD OIL INC.	SEPTEMBER 2021		CAR WASH	260.00
					Total :	**260.00**
164978	10/26/2021	111551 ARECHIGA, OSVALDO	11/07-11/10/21		APTA CONFERENCE & EXPO - PER DIE	150.00
					Total :	**150.00**
164979	10/26/2021	101459 ASBURY ENVIRONMENTAL SERVICES	I500-00759462		VACUUM DISPOSAL NONHAZARD LIQU	1,163.40
					Total :	**1,163.40**
164980	10/26/2021	104687 AT&T	17043327		TELEPHONE	13,697.21
			17121459		TELEPHONE	699.05
			17183515		TELEPHONE	376.49
			17183516		TELEPHONE	421.89
			17183826		TELEPHONE	13,667.24
			17186635		TELEPHONE	943.71

Bank code : usb

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
164980	10/26/2021	104687 104687 AT&T	(Continued)		**Total :**	**29,805.59**
164981	10/26/2021	616090 AT&T	3103232408 10/01/21		TELEPHONE	2,003.09
					Total :	**2,003.09**
164982	10/26/2021	111170 AT&T FIRSTNET	287290395417X081021		PD CELL PHONE ACCT #287290395417	448.96
			287290395417X091021		PD CELL PHONE ACCT #287290395417	448.96
			287290885074X101021		CITYWIDE CELL PHONE ACCT #287290	2,094.71
			287293420631X071021		PD CELL PHONE ACCT #287293420631	208.35
			287293420631X091021		PD CELL PHONE ACCT #287293420631	163.87
			287303490376X101021		BUS CELL PHONE ACCT #28730349037	14.78
					Total :	**3,379.63**
164983	10/26/2021	100474 AT&T LONG DISTANCE	101221		TELEPHONE	58.51
					Total :	**58.51**
164984	10/26/2021	100964 AT&T MOBILITY	828667974X10162021		CM CELL PHONE ACCT #828667974	86.46
					Total :	**86.46**
164985	10/26/2021	102880 AUTOPLEX, INC.	13212		2017 FORD F150 #48272C2 OIL & FILTE	85.02
					Total :	**85.02**
164986	10/26/2021	110686 AZTECH ELEVATOR COMPANY	AZ16968	024-00757	ELEVATOR MAINTENANCE - NCC	285.00
			AZ16969	024-00757	ELEVATOR MAINTENANCE - PW	285.00
			AZ16970	024-00757	ELEVATOR MAINTENANCE - CITY HALL	100.00
			AZ16971	024-00757	ELEVATOR MAINTENANCE - NCC	100.00
			AZ16972	037-10040	ELEVATOR MAINTENANCE - GTRANS A	285.00
			AZ16973	037-10040	ELEVATOR MAINTENANCE - GTRANS M	83.33
					Total :	**1,138.33**
164987	10/26/2021	109980 BACH, ROCIO	1924		PARENTING CLASS PRESENTATIONS	130.00
					Total :	**130.00**
164988	10/26/2021	110190 BASNET FAMILY CHILD CARE	SEPTEMBER 2021		CHILD CARE PROVIDER	7,254.00
					Total :	**7,254.00**
164989	10/26/2021	102400 BAYSIDE MEDICAL CENTER	00129897		BLOOD DRAW	445.20

Bank code : usb

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
164989	10/26/2021	102400 102400 BAYSIDE MEDICAL CENTER	(Continued)		**Total :**	**445.20**
164990	10/26/2021	802155 BAYSIDE REPORTING COMPANY	13256		CERTIFIED TRANSCRIPT & ORIGINAL	1,628.00
			13257		CERTIFIED TRANSCRIPT & ORIGINAL	1,113.00
			13258		VIDEOGRAPHER'S APPEARANCE - SYI	779.00
			13261		VIDEOGRAPHER'S APPEARANCE SERV	1,361.70
			13290		TRANSCRIPT - ORIGINAL & CERTIFIED	1,587.75
			13291		VIDEOGRAPHER'S APPEARANCE SERV	949.00
					Total :	**7,418.45**
164991	10/26/2021	102035 BD WHITE TOP SOIL CO., INC.	85753		PARK MAINT SUPPLIES	270.11
					Total :	**270.11**
164992	10/26/2021	103641 BECNEL UNIFORMS	39471		BUS UNIFORM SUPPLIES	328.46
			40024		BUS UNIFORM SUPPLIES	547.99
			40025		BUS UNIFORM SUPPLIES	528.29
			40026		BUS UNIFORM SUPPLIES	508.57
			40364		BUS UNIFORM SUPPLIES	331.25
			40653		BUS UNIFORM SUPPLIES	277.58
					Total :	**2,522.14**
164993	10/26/2021	102135 BEHRENDS, KENT	058		PURCHASE REIMBURSEMENT - COUN	299.99
					Total :	**299.99**
164994	10/26/2021	102243 BISHOP COMPANY	675669		PARK MAINT SUPPLIES	308.66
					Total :	**308.66**
164995	10/26/2021	111751 BLACK AND WHITE EMERGENCY VEH.	4219		PD VEHICLE SUPPLIES	51.06
					Total :	**51.06**
164996	10/26/2021	100600 BLAINE TECH SERVICES, INC.	PERMIT #16845		PERMIT DEPOSIT REFUND - 17838 EVE	1,000.00
					Total :	**1,000.00**
164997	10/26/2021	111835 BOB MURRAY & ASSOCIATES	9220		PROFESSIONAL SERVICES	651.85
					Total :	**651.85**
164998	10/26/2021	108715 BOBBS, CINDY	SEPTEMBER 2021		CHILD CARE PROVIDER	2,782.00

Bank code : usb

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
164998	10/26/2021	108715 108715 BOBBS, CINDY	(Continued)		**Total :**	**2,782.00**
164999	10/26/2021	110938 BRANDON'S FAMILY CHILDCARE	SEPTEMBER 2021		CHILD CARE PROVIDER	1,806.00
					Total :	**1,806.00**
165000	10/26/2021	111818 BRIGHT EVENTS RENTALS	209474-11		FOOD, WINE & BREW - RENTAL SERVI(	853.00
					Total :	**853.00**
165001	10/26/2021	107369 CALIFORNIA PALMS	15295		FOOD, WINE & BREW FESTIVAL CANOI	1,939.00
					Total :	**1,939.00**
165002	10/26/2021	110444 CAMINO INVESTMENTS LLC	PERMIT #14822		PERMIT DEPOSIT REFUND - ATKINSON	1,000.00
					Total :	**1,000.00**
165003	10/26/2021	823003 CARL WARREN & COMPANY	SEPTEMBER 2021		CLAIMS MANAGEMENT	1,554.75
					Total :	**1,554.75**
165004	10/26/2021	803420 CARPENTER, ROTHANS & DUMONT, LAW OFI	38935		LEGAL SERVICES	3,971.35
			38936		LEGAL SERVICES	1,712.06
			38937		LEGAL SERVICES	180.00
			38938		LEGAL SERVICES	15.00
			38939		LEGAL SERVICES	1,915.93
			38940		LEGAL SERVICES	500.52
			38941		LEGAL SERVICES	36.00
			38942		LEGAL SERVICES	558.00
			38943		LEGAL SERVICES	216.00
			38944		LEGAL SERVICES	279.95
			38945		LEGAL SERVICES	1,580.15
			38946		LEGAL SERVICES	378.00
			38947		LEGAL SERVICES	558.00
			38948		LEGAL SERVICES	252.00
			39184		LEGAL SERVICES	54.00
			39185		LEGAL SERVICES	4,323.00
			39186		LEGAL SERVICES	331.97
			39187		LEGAL SERVICES	216.00
			39188		LEGAL SERVICES	72.00
			39189		LEGAL SERVICES	348.95
			39190		LEGAL SERVICES	169.55

Bank code : usb

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
165004	10/26/2021	803420 CARPENTER, ROTHANS & DUMONT, LAW OFF	(Continued)			
			39191		LEGAL SERVICES	414.00
			39194		LEGAL SERVICES	216.00
			39195		LEGAL SERVICES	746.00
					Total :	**19,044.43**
165005	10/26/2021	303331 CDTFA	JUL-SEPT 2021		UNDERGROUND STORAGE TANK MAIN	1,926.00
					Total :	**1,926.00**
165006	10/26/2021	110605 CHANDLER ASSET MANAGEMENT	2109GARDENA	013-00029	INVESTMENT MGMT SERVICES - SEPT	1,375.75
					Total :	**1,375.75**
165007	10/26/2021	103127 CHILD 2 CHILD CONNECTION, FAMILY DAY CA	SEPTEMBER 2021		CHILD CARE PROVIDER	1,915.00
					Total :	**1,915.00**
165008	10/26/2021	203115 CILVA, ALICE	11/02-11/05		CMRTA TRAINING CLASSES - PER DIEM	100.00
					Total :	**100.00**
165009	10/26/2021	111740 CLEANCOR LNG LLC	592-000552	024-00743	QUARTLERY PREVENTATIVE MAINTEN	785.00
					Total :	**785.00**
165010	10/26/2021	111416 COLANTUONO, HIGHSMITH &, WHATLEY, PC	49448		LEGAL SERVICES	192.70
					Total :	**192.70**
165011	10/26/2021	102388 COPYLAND, INC.	76264		GTRANS - COLOR BUS CARDS	572.76
					Total :	**572.76**
165012	10/26/2021	105781 CORDOVA & ASSOCIATES	21015	037-10067	LINE 7X MARKETING MATERIALS	4,161.02
					Total :	**4,161.02**
165013	10/26/2021	111856 CORNERSTONE ASSET LLC	RECEIPT #76505		REFUND - PERMIT APPLICATION WITH	7,878.00
					Total :	**7,878.00**
165014	10/26/2021	109913 COSTAR REALTY INFORMATION INC.	114671225		COSTAR SUITE - SEPTEMBER 2021	995.94
			114845898		COSTAR SUITE - OCTOBER 2021	1,060.66
					Total :	**2,056.60**
165015	10/26/2021	104152 CREATIVE BUS SALES, INC.	1346575		GTRANS AUTO PARTS	33.42

Bank code : usb

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
165015	10/26/2021	104152 104152 CREATIVE BUS SALES, INC.	(Continued)		**Total :**	**33.42**
165016	10/26/2021	109005 CRESPO, ERNIE	11/07-11/10/21		APTA CONFERENCE & EXPO - PER DIE	225.00
					Total :	**225.00**
165017	10/26/2021	111377 DE NOVO PLANNING GROUP	3233	032-00096	PROFESSIONAL SERVICES - GARDEN/	16,669.63
					Total :	**16,669.63**
165018	10/26/2021	312117 DEPARTMENT OF WATER & POWER	092921		LIGHT & POWER	65.39
					Total :	**65.39**
165019	10/26/2021	109269 DETROIT SPONGE & CHAMOIS CO.	202951		BUS WASH SUPPLIES	27.90
					Total :	**27.90**
165020	10/26/2021	111872 DSU UTILITY TRENCHING, INC.	PERMIT #14576		PERMIT DEPOSIT REFUND - VAN NESS	4,000.00
					Total :	**4,000.00**
165021	10/26/2021	109435 DUDICS, MATT	2217		MEDIATION SERVICES	800.00
					Total :	**800.00**
165022	10/26/2021	107690 ENLIGHTENMENT CHILD, DEVELOPMENT CEI	SEPTEMBER 2021		CHILD CARE PROVIDER	5,659.00
					Total :	**5,659.00**
165023	10/26/2021	107510 ESCALANTE, WENDY E.	SEPTEMBER 2021		CHILD CARE PROVIDER	3,637.00
					Total :	**3,637.00**
165024	10/26/2021	109426 ESPINOSA, VANESSA	10/04-10/15/21		PROFESSIONAL SERVICES - CASE WO	1,512.00
					Total :	**1,512.00**
165025	10/26/2021	105650 EWING IRRIGATION PRODUCTS	15397883		PARK MAINT SUPPLIES	259.91
			15409288		PARK MAINT SUPPLIES	25.41
			15447906		PARK MAINT SUPPLIES	224.88
					Total :	**510.20**
165026	10/26/2021	106129 FEDEX	7-511-48116		SHIPPING SERVICES	32.49
			7-518-28317		SHIPPING SERVICES	71.80
			7-519-11350		SHIPPING SERVICES	61.40
			7-525-97725		SHIPPING SERVICES	64.54

Bank code : usb

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
165026	10/26/2021	106129 FEDEX	(Continued)			
			7-526-80489		SHIPPING SERVICES	32.57
					Total :	**262.80**
165027	10/26/2021	111869 FEUER, KENNETH	PERMIT #50020-0923		PERMIT DEPOSIT REFUND - 1475 W. 15	5,000.00
					Total :	**5,000.00**
165028	10/26/2021	103083 FIRST ADVANTAGE LNS OCC HEALTH, SOLUT	2504682109		DRUG TEST/ADMIN FEE	475.23
			2512542109		DRUG TEST/ADMIN FEE	32.07
					Total :	**507.30**
165029	10/26/2021	110060 FJS CABLE ENGINEERING INC.	PERMIT #14916		PERMIT DEPOSIT REFUND - 1340 WES	2,000.00
					Total :	**2,000.00**
165030	10/26/2021	111876 FOUNDATION FOR CALIFORNIA, COMMUNITY	CI-00001440		REFUND - OVERPAYMENT ON AB 131 F	6,930.00
					Total :	**6,930.00**
165031	10/26/2021	107724 GARCIA, CLAUDIA CRISTINA	SEPTEMBER 2021		CHILD CARE PROVIDER	7,480.00
					Total :	**7,480.00**
165032	10/26/2021	207133 GARCIA, NANCY C.	SEPTEMBER 2021		CHILD CARE PROVIDER	6,909.00
					Total :	**6,909.00**
165033	10/26/2021	108183 GARDENA ACE HARDWARE	80704		STREET MAINT SUPPLIES	30.00
					Total :	**30.00**
165034	10/26/2021	107030 GARDENA AUTO PARTS	139140		PD AUTO PARTS	14.64
			139624		PW AUTO PARTS	9.36
			142821		PW AUTO PARTS	1.23
			142837		PW AUTO PARTS	32.70
			143112		PW AUTO PARTS	50.86
			143240		PD AUTO PARTS	28.97
					Total :	**137.76**
165035	10/26/2021	107011 GARDENA VALLEY NEWS, INC.	00110217		NOTICE INVITING BIDS - ROWLEY PAR	1,386.00
			00110451		NOTICE REQUESTING PROPOSALS 20	84.00
			00110452		SUMMARY OF ORDINANCE NO. 1832 -	112.00
			00110453		SUMMARY OF ORDINANCE NO. 1833 -	94.50

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Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
165035	10/26/2021	107011 GARDENA VALLEY NEWS, INC.	(Continued)			
			00110454		SUMMARY OF ORDINANCE NO. 1834 -	91.00
			00110968		SUMMARY OF ORDINANCE NO. 1832 -	140.00
			00110969		SUMMARY OF ORDINANCE NO. 1834 -	122.50
			00110970		SUMMARY OF ORDINANCE NO. 1833 -	122.50
			00111094		NOTICE OF PUBLIC HEARING -	185.50
					Total :	**2,338.00**
165036	10/26/2021	107034 GARDENA WELDING SUPPLY CO INC.	95 119806		GTRANS MAINT SUPPLIES	220.49
			95 119807		GTRANS MAINT SUPPLIES	100.38
			95 119964		GTRANS MAINT SUPPLIES	73.59
					Total :	**394.46**
165037	10/26/2021	109611 GARNER, ELENA	10/25-10/28		CLEARS TRAINING & TECHNOLOGY SE	150.00
					Total :	**150.00**
165038	10/26/2021	619005 GAS COMPANY, THE	100721		CNG FUEL	1,171.80
					Total :	**1,171.80**
165039	10/26/2021	106470 GILLIG LLC	40852518	037-10049	GTRANS AUTO PARTS	176.40
					Total :	**176.40**
165040	10/26/2021	110245 GLOBAL EQUIPTMENT CO, INC.	114292299		BLDG MAINT SUPPLIES	63.90
			114298613		BLDG MAINT SUPPLIES	456.43
					Total :	**520.33**
165041	10/26/2021	619004 GOLDEN STATE WATER CO.	100421		WATER	23,394.24
					Total :	**23,394.24**
165042	10/26/2021	110395 GOLDMAN, RODERICK	11/07-11/10/21		APTA CONFERENCE & EXPO - PER DIE	150.00
					Total :	**150.00**
165043	10/26/2021	102457 GOODLOW, SEBASTIAN	11/07-11/10/21		APTA CONFERENCE & EXPO - PER DIE	150.00
					Total :	**150.00**
165044	10/26/2021	111870 GPS PAINTING & WALL COVERING	PERMIT #14902		PERMIT DEPOSIT REFUND - 1045 WES	1,000.00
					Total :	**1,000.00**

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Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
165045	10/26/2021	109055 GRAFFITI SHIELD, INC.	17109		BUS GRAFFITI SHIELD	1,017.10
					Total :	**1,017.10**
165046	10/26/2021	107513 GRAINGER	9054639399		BUS FACILITY SUPPLIES	421.02
			9068083311		BUS FACILITY SUPPLIES	246.78
			9076778134		BUS FACILITY SUPPLIES	19.18
			9076778142		BUS FACILITY SUPPLIES	19.00
			9077701721		BUS FACILITY SUPPLIES	14.51
			9077701739		BUS FACILITY SUPPLIES	20.40
			9078444115		BUS FACILITY SUPPLIES	53.36
			9083696121		BUS FACILITY SUPPLIES	123.56
			9084656934		BUS FACILITY SUPPLIES	4.15
					Total :	**921.96**
165047	10/26/2021	111882 GROLEAU, NASTASSIA	45700		REFUND - CREDIT CARD PROCESSING	8.25
					Total :	**8.25**
165048	10/26/2021	110435 GUERRERO, ANGELICA	SEPTEMBER 2021		CHILD CARE PROVIDER	3,438.00
					Total :	**3,438.00**
165049	10/26/2021	104017 HALO BRANDED SOLUTIONS INC.	5337521		PW STREET MAINT PROMOTIONAL ITE	1,940.87
					Total :	**1,940.87**
165050	10/26/2021	111873 HALSEY, THEODORE	PERMIT #14590		PERMIT DEPOSIT REFUND - 1745 W. 18	1,000.00
					Total :	**1,000.00**
165051	10/26/2021	111484 HANNA, BROPHY, MACLEAN,, MCALEER & JEI	2030435		PROFESSIONAL SERVICES	20.00
					Total :	**20.00**
165052	10/26/2021	105553 HARRIS, DONNY	11/07-11/10/21		APTA CONFERENCE & EXPO - PER DIE	150.00
					Total :	**150.00**
165053	10/26/2021	108607 HENDERSON-BATISTE, TANEKA	SEPTEMBER 2021		CHILD CARE PROVIDER	3,112.00
					Total :	**3,112.00**
165054	10/26/2021	111549 HF & H CONSULTANTS, LLC	9718577		CONSULTING SERVICES - SOLID WAST	4,668.50
					Total :	**4,668.50**

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Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
165055	10/26/2021	108434 HOME DEPOT CREDIT SERVICES	0524519		JAZZ FESTIVAL PROGRAM SUPPLIES	218.97
			0902293		PD PROGRAM SUPPLIES	159.71
			1011582		GTRANS MAINT SUPPLIES	140.87
			1102951		REC PROGRAM SUPPLIES	187.31
			1303238		REC PROGRAM SUPPLIES	65.82
			1903396		REC PROGRAM SUPPLIES	550.09
			1932913		GTRANS MAINT SUPPLIES	329.65
			2157906		GTRANS MAINT SUPPLIES	77.15
			2272587		STREET MAINT SUPPLIES	451.80
			2359631		GTRANS MAINT SUPPLIES	164.50
			3544192		REC PROGRAM SUPPLIES	41.87
			4012560		GTRANS MAINT SUPPLIES	414.66
			4230589		JAZZ FESTIVAL PROGRAM SUPPLIES	-256.16
				G		
			4900636		PARK MAINT SUPPLIES	150.00
			4900655		REC PROGRAM SUPPLIES	24.71
			5271960		STREET MAINT SUPPLIES	150.60
			5543012		BLDG MAINT SUPPLIES	10.76
			6054632		STREET MAINT SUPPLIES	14.29
			6123545		STREET MAINT SUPPLIES	219.96
			7543910		BLDG MAINT SUPPLIES	36.86
			7903806		GTRANS MAINT SUPPLIES	283.61
			8025405		PD PROGRAM SUPPLIES	105.66
			8542787		PD PROGRAM SUPPLIES	25.34
			9044602		GTRANS MAINT SUPPLIES	313.04
			9900111		GTRANS MAINT SUPPLIES	209.46
			9903680		PD PROGRAM SUPPLIES	94.11
					Total :	**4,184.64**
165056	10/26/2021	108430 HOME PIPE & SUPPLY	F33273		BLDG MAINT SUPPLIES	517.68
			F33638		BLDG MAINT SUPPLIES	24.88
			F33861		BLDG MAINT SUPPLIES	13.53
			F33870		BLDG MAINT SUPPLIES	10.95
					Total :	**567.04**
165057	10/26/2021	104572 HUDSON AUDIO WORKS	11297		FOOD, WINE & BREW FESTIVAL - BACK	1,620.00

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Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
165057	10/26/2021	104572 104572 HUDSON AUDIO WORKS	(Continued)		**Total :**	**1,620.00**
165058	10/26/2021	110510 HUTAURUK, MELYSSA	11/07-11/10/21		APTA CONFERENCE & EXPO - PER DIE	150.00
					Total :	**150.00**
165059	10/26/2021	103314 HYDE, ERIC	10/31-11/04		TRAINING - POST MANAGEMENT COUI	200.00
					Total :	**200.00**
165060	10/26/2021	107068 INLAND ENGINEERING SERVICES, INC.	PERMIT #14620		PERMIT DEPOSIT REFUND - 1108 W. 14	1,000.00
					Total :	**1,000.00**
165061	10/26/2021	111593 INTER-CON SECURITY SYSTEMS INC	BD0058116	037-09992	GTRANS SECURITY SERVICES - SEPTI	6,924.00
					Total :	**6,924.00**
165062	10/26/2021	106714 INTERSTATE BATTERIES OF, CALIFORNIA CO.	130100605		GTRANS AUTO PARTS	457.53
			130100782		GTRANS AUTO PARTS	-1,171.91
			130100868		GTRANS AUTO PARTS	547.53
			130100947		GTRANS AUTO PARTS	547.53
					Total :	**380.68**
165063	10/26/2021	103064 ITERIS, INC.	137875	024-00677	TRAFFIC SIGNAL PROJECT - VERMONT	7,723.68
					Total :	**7,723.68**
165064	10/26/2021	111752 J LEE ENGINEERING INC	4376	032-00093	PROFESSIONAL SERVICES - PERMIT T	11,570.00
					Total :	**11,570.00**
165065	10/26/2021	108555 JALISCO TIRE & AUTO REPAIR	092921		(2) TIRES MOUNT & BALANCE	35.00
			100621		(5) FLAT REPAIR, (1)TIRE MOUNT & BAI	65.00
					Total :	**100.00**
165066	10/26/2021	110010 JANEK CORPORATION, THE	110765		GTRANS SHOP SUPPLIES	1,367.10
					Total :	**1,367.10**
165067	10/26/2021	107746 JAS PACIFIC	BI 14021	032-00094	BUILDING INSPECTOR SERVICES - AU	14,027.70
			BI 14050	032-00094	BUILDING INSPECTOR SERVICES - SEI	8,140.28
					Total :	**22,167.98**
165068	10/26/2021	105226 JEKAL FAMILY CHILD CARE	SEPTEMBER 2021		CHILD CARE PROVIDER	4,959.00

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Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
165068	10/26/2021	105226 105226 JEKAL FAMILY CHILD CARE	(Continued)		**Total :**	**4,959.00**
165069	10/26/2021	110853 JONES & MAYER	101823		ATTORNEY SERVICES	1,388.00
			105268	020-00034	CITY ATTORNEY SERVICES	10,182.20
			105269		ATTORNEY SERVICES	103.92
			105270		ATTORNEY SERVICES	420.84
			105271		ATTORNEY SERVICES	3,449.70
			105272		ATTORNEY SERVICES	1,512.30
			105273		ATTORNEY SERVICES	2,875.50
			105274		ATTORNEY SERVICES	2,747.70
			105275		ATTORNEY SERVICES	276.90
			105276		ATTORNEY SERVICES	3,280.20
			105277		ATTORNEY SERVICES	519.50
			105278		ATTORNEY SERVICES	106.50
			105279		ATTORNEY SERVICES	213.00
			105280		ATTORNEY SERVICES	1,697.92
			105281		ATTORNEY SERVICES	1,682.70
			105282		ATTORNEY SERVICES	753.28
			105283		ATTORNEY SERVICES	1,428.63
			105284		ATTORNEY SERVICES	4,311.90
			105285		ATTORNEY SERVICES	519.51
			105286		ATTORNEY SERVICES	3,471.90
			105287		ATTORNEY SERVICES	2,832.90
			105288		ATTORNEY SERVICES	42.60
			105289		ATTORNEY SERVICES	77.93
					Total :	**43,895.53**
165070	10/26/2021	111881 JONES, CHRISTOPHER	11/07-11/10/21		APTA CONFERENCE & EXPO - PER DIE	150.00
					Total :	**150.00**
165071	10/26/2021	108107 JTB SUPPLY COMPANY, INC	109460		SIGNS/SIGNALS SUPPLIES	667.40
					Total :	**667.40**
165072	10/26/2021	111517 KIRK'S AUTOMOTIVE INC.	1053529		GTRANS SHOP SUPPLIES	47.10
					Total :	**47.10**
165073	10/26/2021	312240 L.A. COUNTY DEPARTMENT OF, PUBLIC WOR	IN2200000186	024-00769	LABOR & EQUIP CHARGES - TS 0383 -	9,138.53

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Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
165073	10/26/2021	312240 L.A. COUNTY DEPARTMENT OF, PUBLIC WOR	(Continued)			
			IN220000188	024-00769	LABOR & EQUIPMENT CHARGES - TS 1	1,615.51
			IN220000196	024-00769	LABOR & EQUIPMENT CHARGES - TS (	1,779.79
					Total :	**12,533.83**
165074	10/26/2021	112015 LACERDA, DALVANICE	SEPTEMBER 2021		CHILD CARE PROVIDER	5,948.00
					Total :	**5,948.00**
165075	10/26/2021	112014 LAKESHORE LEARNING MATERIALS	154265092521		FCC PROGRAM SUPPLIES	71.11
					Total :	**71.11**
165076	10/26/2021	110777 LEARN N PLAY FAMILY DAYCARE	SEPTEMBER 2021		CHILD CARE PROVIDER	5,309.00
					Total :	**5,309.00**
165077	10/26/2021	102376 LEXISNEXIS RISK SOLUTIONS	1328345-20210930		MONTHLY SUBSCRIPTION FEE	1,646.84
					Total :	**1,646.84**
165078	10/26/2021	102233 LITTLE PEOPLE DAY CARE	SEPTEMBER 2021		CHILD CARE PROVIDER	5,296.00
					Total :	**5,296.00**
165079	10/26/2021	109517 LOAD N' GO BUILDING MATERIALS	20772		STREET MAINT SUPPLIES	125.60
			20773		STREET MAINT SUPPLIES	24.23
					Total :	**149.83**
165080	10/26/2021	105236 LONG BEACH ICE, INC.	247822		FOOD, WINE & BREW FESTIVAL EVENT	606.38
					Total :	**606.38**
165081	10/26/2021	109563 LUCKY LADY CASINO	0850000129		ECONOMIC ASSISTANCE - SEPTEMBEI	50,471.04
					Total :	**50,471.04**
165082	10/26/2021	112615 LU'S LIGHTHOUSE, INC.	01203610	037-10063	GTRANS SHOP SUPPLIES	59.55
			01203879	037-10063	GTRANS SHOP SUPPLIES	28.28
			01205031	037-10063	GTRANS SHOP SUPPLIES	426.92
					Total :	**514.75**
165083	10/26/2021	109203 MAKAI SOLUTIONS	SD272	037-10042	FACILITIES AND EQUIPMENT MAINTEN	702.12
					Total :	**702.12**

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Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
165084	10/26/2021	813030 MANNING & KASS	704375		LEGAL SERVICES	4,631.10
			706977		LEGAL SERVICES	2,805.20
			709227		LEGAL SERVICES	5,262.50
			711488		LEGAL SERVICES	4,937.50
			715880		LEGAL SERVICES	2,886.00
			718004		LEGAL SERVICES	38,422.23
			718056		LEGAL SERVICES	2,295.50
			721306		LEGAL SERVICES	12,345.29
			721307		LEGAL SERVICES	3,066.50
					Total :	**76,651.82**
165085	10/26/2021	104841 MAR-CO EQUIPMENT COMPANY	180992		PW AUTO PARTS	642.95
					Total :	**642.95**
165086	10/26/2021	106544 MARINA SECURITY GATE &, ELECTRONICS	3704		SERVICE CALL - PD GATE REPAIR	726.47
					Total :	**726.47**
165087	10/26/2021	110306 MARIPOSA LANDSCAPES, INC	94870	024-00760	MEDIAN LANDSCAPE MAINTENANCE	6,924.00
					Total :	**6,924.00**
165088	10/26/2021	107951 MARK HANDLER & ASSOCIATES	AUGUST 2021	032-00095	BUILDING INSPECTION SERVICES	19,730.00
					Total :	**19,730.00**
165089	10/26/2021	107644 MARTINEZ, CHERYL NAOMI	SEPTEMBER 2021		CHILD CARE PROVIDER	4,688.00
					Total :	**4,688.00**
165090	10/26/2021	104773 MARTINEZ, KAMBY	SEPTEMBER 2021		CHILD CARE PROVIDER	3,717.00
					Total :	**3,717.00**
165091	10/26/2021	113064 MCMASTER-CARR SUPPLY COMPANY	654700412		PW SHOP SUPPLIES	354.46
			65477827		GTRANS SHOP SUPPLIES	161.95
			65864532		PW SHOP SUPPLIES	206.99
			65897075		BLDG MAINT SUPPLIES	2,201.53
			66416789		GTRANS SHOP SUPPLIES	79.73
					Total :	**3,004.66**
165092	10/26/2021	110784 MD AUTOBODY	1343	037-10074	GTRANS BUS REPAIRS	1,984.60
			1344		GTRANS BUS REPAIRS	1,945.00

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Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
165092	10/26/2021	110784 110784 MD AUTOBODY	(Continued)		**Total :**	**3,929.60**
165093	10/26/2021	111825 MEDIA SOLUTIONS	204882	037-10076	LINE 7X MARKETING & COORDINATION	7,807.00
			204901	037-10076	LINE 7X MARKETING & COORDINATION	2,223.00
					Total :	**10,030.00**
165094	10/26/2021	108699 MEZIERE ENTERPRISES INC.	80533		ELECTRIC WATER PUMP	631.00
					Total :	**631.00**
165095	10/26/2021	110206 MICHELIN NORTH AMERICA, INC.	DA0047890681	037-10059	GTRANS' BUS TIRE LEASE SERVICES -	5,631.43
					Total :	**5,631.43**
165096	10/26/2021	113593 MINUTEMAN PRESS	19513		PETTY CASH RECEIPT BOOKS	141.87
					Total :	**141.87**
165097	10/26/2021	107505 MOUSER ELECTRONICS, INC.	64048641		GTRANS AUTO SUPPLIES	127.01
					Total :	**127.01**
165098	10/26/2021	109056 MULTICARD	29296		PD SERVICE EQUIPMENT CONTRACT /	1,250.00
					Total :	**1,250.00**
165099	10/26/2021	214425 NOLAN, KIMBERLY	091521		MEDICAL REIMBURSEMENT	2,500.00
					Total :	**2,500.00**
165100	10/26/2021	110575 OCCUPATIONAL HEALTH CENTERS, OF CALIF	72762123		RANDOM BAT & PHYSICAL RECERTIFI(	1,240.00
			72844077		RAMDON BAT & PHYSICAL RECERTIFI(	1,022.50
			72926919		RANDOM BAT & PHYSICAL RECERTIFI(	1,845.50
					Total :	**4,108.00**
165101	10/26/2021	115168 OFFICE DEPOT	200417872		BUS OFFICE SUPPLIES	134.85
			200878297		PD OFFICE SUPPLIES	45.68
			200888945		FCC OFFICE SUPPLIES	121.57
			200903503		FCC OFFICE SUPPLIES	19.39
			200949655		BUS OFFICE SUPPLIES	188.08
					Total :	**509.57**
165102	10/26/2021	111358 O'REILLY AUTO PARTS	157852		GTRANS AUTO PARTS	29.76
			160151		GTRANS AUTO PARTS	49.27

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Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
165102	10/26/2021	111358 O'REILLY AUTO PARTS	(Continued)			
			166184		GTRANS AUTO PARTS	2.89
					Total :	**81.92**
165103	10/26/2021	115810 ORKIN PEST CONTROL	218921268		PEST CONTROL - ACCT #27336703	237.00
			218921285		PEST CONTROL - ACCT #27336703	237.00
					Total :	**474.00**
165104	10/26/2021	109890 OWUSU FAMILY CHILD CARE	SEPTEMBER 2021		CHILD CARE PROVIDER	6,463.00
					Total :	**6,463.00**
165105	10/26/2021	109258 PACIFIC LIFT & EQUIPMENT CO., INC.	14221A		GTRAN MAINT SUPPLIES	1,487.50
					Total :	**1,487.50**
165106	10/26/2021	110403 PENN RECORDS MANAGEMENT	0125815		OFF-SITE STORAGE SERVICES - SEPT	54.25
					Total :	**54.25**
165107	10/26/2021	105574 PINNACLE PETROLEUM, INC.	0259733	037-10038	87 OCTANE REGULAR UNLEADED CAR	30,756.97
					Total :	**30,756.97**
165108	10/26/2021	105574 PINNACLE PETROLEUM, INC.	0259734	037-10038	87 OCTANE REGULAR UNLEADED CAR	30,046.60
					Total :	**30,046.60**
165109	10/26/2021	116225 PLUMBERS DEPOT, INC.	PD-49482		SEWER PROGRAM SUPPLIES	349.31
					Total :	**349.31**
165110	10/26/2021	111852 PROK9	104	035-01111	K-9 ANNUAL TRAINING PROGRAM	8,400.00
					Total :	**8,400.00**
165111	10/26/2021	102677 PROVIDENCE HEALTH & SERVICES	600000283 10/05/21		PRE-EMPLOYMENT PHYSICAL EXAM	120.00
					Total :	**120.00**
165112	10/26/2021	106092 PRUDENTIAL OVERALL SUPPLY	42664086		UNIFORM & SUPPLY RENTAL	296.00
			42665694		UNIFORM & SUPPLY RENTAL	148.94
			42665695		UNIFORM & SUPPLY RENTAL	47.16
			42665696		SUPPLY RENTAL - MATS - GTRANS	50.10
			42666149		UNIFORM & SUPPLY RENTAL	1,347.80
			42667747		UNIFORM & SUPPLY RENTAL	149.86

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Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
165112	10/26/2021	106092 PRUDENTIAL OVERALL SUPPLY	(Continued)			
			42667748		UNIFORM & SUPPLY RENTAL	47.16
			42667749		SUPPLY RENTAL - MATS - GTRANS	50.10
			42667750		SUPPLY RENTAL - MATS - NCC	13.65
			42667751		SUPPLY RENTAL - MATS - CH	19.00
			42667752		SUPPLY RENTAL - MATS - PD	91.60
			42667753		SUPPLY RENTAL - MATS - HS	11.60
			42668185		UNIFORM & SUPPLY RENTAL	288.30
					Total :	**2,561.27**
165113	10/26/2021	109466 PYNN, DANA	11/07-11/10/21		APTA CONFERENCE & EXPO - PER DIE	150.00
					Total :	**150.00**
165114	10/26/2021	104868 PYRO-COMM SYSTEMS, INC.	173455	037-09956	FIRE ALARM MONITORIING - BLDG B	135.00
			173456	037-09956	FIRE ALARM MONITORIING - BLDG A	135.00
					Total :	**270.00**
165115	10/26/2021	102283 QUICK COLOR PRINTING	15624		GTRANS - NOW HIRING BANNER	492.75
			15634		GTRANS POSTER BOARD	43.80
			15652		GTRANS FLAG BANNER	1,971.00
			15671		FOOD, WINE & BREW FESTIVAL EVENT	1,921.73
					Total :	**4,429.28**
165116	10/26/2021	103907 QUINN COMPANY	PC810930213		PW AUTO PARTS	311.91
					Total :	**311.91**
165117	10/26/2021	907343 RAMONA'S MEXICAN FOOD, PRODUCTS, INC	PERMIT #14824		PERMIT DEPOSIT REFUND - 13633 S.	1,000.00
					Total :	**1,000.00**
165118	10/26/2021	103072 REACH	1021738		EAP SERVICES/REACHLINE NEWSLET	902.00
					Total :	**902.00**
165119	10/26/2021	100836 RESOURCE BUILDING MATERIALS	3216156		STREET MAINT SUPPLIES	33.87
					Total :	**33.87**
165120	10/26/2021	108935 REYNOLDS GROUP, THE	PERMIT #14688		PERMIT DEPOSIT REFUND - 15701 S. A	1,000.00
					Total :	**1,000.00**

Bank code : usb

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
165121	10/26/2021	118476 RICOH USA, INC.	5062981888		RICOH MPC3300SPF COPIER USAGE C	963.87
			5062981954		RICOH MPC3300SPF USAGE CHARGES	965.98
					Total :	**1,929.85**
165122	10/26/2021	111495 ROBINSON-PASSLEY, SHARON	OCTOBER 2021		COBRA REIMBURSEMENT	588.25
					Total :	**588.25**
165123	10/26/2021	119126 S.B.R.P.C.A.	04065		PD AUTO PARTS	166.48
					Total :	**166.48**
165124	10/26/2021	119022 SAFE MART OF SOUTHERN, CALIFORNIA, INC	92855		BLDG MAINT SUPPLIES	11.03
			92900		PD PROGRAM SUPPLIES	85.44
			92919		BLDG MAINT SUPPLIES	22.05
					Total :	**118.52**
165125	10/26/2021	119016 SAM'S CLUB	99999 2021		MEMBERSHIP FEES	507.15
					Total :	**507.15**
165126	10/26/2021	105934 SANTIN, STEPHANY	09/15-09/16		REIMBURSEMENT - ABC LICENSE	152.90
					Total :	**152.90**
165127	10/26/2021	110772 SANTOS, VICTOR D.	09/19-09/23/21		BUSINESS TRAVEL TO VIRGINIA - TROI	200.00
					Total :	**200.00**
165128	10/26/2021	110772 SANTOS, VICTOR D.	11/07-11/10/21		APTA CONFERENCE & EXPO - PER DIE	150.00
					Total :	**150.00**
165129	10/26/2021	108654 SECTRAN SECURITY INC.	21071843		ARMORED TRANSPORTATION SERVICI	1,267.92
			21081857		ARMORED TRANSPORTATION SERVICI	1,184.37
			21090704		ARMORED TRANSPORTATION SERVICI	769.93
			21100725		ARMORED TRANSPORTATION SERVICI	190.83
					Total :	**3,413.05**
165130	10/26/2021	110731 SHAW HR CONSULTING, INC	001310		PROFESSIONAL SERVICES - PERSONN	1,972.50
					Total :	**1,972.50**
165131	10/26/2021	106050 SHEHATA, AMY	SEPTEMBER 2021		CHILD CARE PROVIDER	6,154.00

Bank code : usb

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
165131	10/26/2021	106050 106050 SHEHATA, AMY	(Continued)		**Total :**	**6,154.00**
165132	10/26/2021	109918 SHIGE'S FOREIGN CAR SERVICE	8089277		2019 FORD EXPLR #8RKX077 OIL & FIL	315.33
			8089282		2016 FORD INTRCPTR #1488057 SERVI	616.77
			8089309		2018 FORD INTRCPTR #1554678 SERVI	927.17
			8089343		2014 FORD INTRCPTR #1442248 OIL &	31.52
			8089347		2015 FORD INTRCPTR #1462933 BRAKI	262.55
					Total :	**2,153.34**
165133	10/26/2021	101649 SILVIA ESPINOZA FAMILY CHILD, CARE	SEPTEMBER 2021		CHILD CARE PROVIDER	3,912.00
					Total :	**3,912.00**
165134	10/26/2021	119361 SMART & FINAL IRIS CO.	18804		REC PROGRAM SUPPLIES	28.71
			25802		REC PROGRAM SUPPLIES	8.99
			2703		REC PROGRAM SUPPLIES	276.53
			27407		FOOD, WINE & BREW EVENT SUPPLIES	83.48
					Total :	**397.71**
165135	10/26/2021	109531 SMILLIN, MAGE	SEPTEMBER 2021		CHILD CARE PROVIDER	7,550.00
					Total :	**7,550.00**
165136	10/26/2021	102328 SMITH MANUFACTURING	89999	024-00775	PW MAINT SUPPLIES	4,191.83
					Total :	**4,191.83**
165137	10/26/2021	119129 SNAP-ON INDUSTRIAL	ARV-49775434		BUS MAINT SUPPLIES	768.32
					Total :	**768.32**
165138	10/26/2021	103940 SOCAL INDUSTRIES	519556	034-00486	JAZZ FESTIVAL - RENTALS, FENCE INS	15,224.92
					Total :	**15,224.92**
165139	10/26/2021	102027 SOUTH BAY ELECTRIC MOTORS, INC	27426		REPAIR MOTOR STARTER	1,337.38
					Total :	**1,337.38**
165140	10/26/2021	119447 SOUTH BAY FORD	338325		PD AUTO PARTS	27.98
			348511		PW AUTO PARTS	111.53
			348512		PW AUTO PARTS	76.73
			353156		PW AUTO PARTS	512.00
			CM327541		PW AUTO PARTS	-250.22

Bank code : usb

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
165140	10/26/2021	119447 119447 SOUTH BAY FORD	(Continued)		**Total :**	**478.02**
165141	10/26/2021	318010 SOUTHERN CALIFORNIA ASSOC., OF GOVER	2021-2022		ANNUAL DUES ASSESSMENT	6,601.00
					Total :	**6,601.00**
165142	10/26/2021	619003 SOUTHERN CALIFORNIA EDISON	101421		LIGHT & POWER	87,716.91
					Total :	**87,716.91**
165143	10/26/2021	103202 SOUTHERN COUNTIES LUBRICANTS, LLC	151825		BUS SHOP SUPPLIES	1,790.46
			152344		BUS SHOP SUPPLIES	2,196.13
					Total :	**3,986.59**
165144	10/26/2021	108238 SPARKLETTS	14211220 100621		DRINKING WATER FILTRATION SYSTEM	49.99
			15638236 100821		DRINKING WATER FILTRATION SYSTEM	52.90
					Total :	**102.89**
165145	10/26/2021	104126 SPECTRUM SOLUTIONS	0027122101121		CABLE & BACKUP INTERNET SERVICE	4,031.80
					Total :	**4,031.80**
165146	10/26/2021	104453 SPICERS PAPER, INC.	2757641	023-01354	PRINT SHOP PAPER	3,526.16
					Total :	**3,526.16**
165147	10/26/2021	119594 STANLEY PEST CONTROL	COG 0921		PEST CONTROL SERVICE - 1670 W 162	854.00
			COG 0921-1		PEST CONTROL SERVICE - 2320 W 149	117.00
					Total :	**971.00**
165148	10/26/2021	219620 SWEENEY, NIKKI	16195		REIMBURSEMENT - FOOD, WINE & BRI	133.40
					Total :	**133.40**
165149	10/26/2021	110877 TAYLORING MINDS FAMILY CHILD, CARE	SEPTEMBER 2021		CHILD CARE PROVIDER	3,015.00
					Total :	**3,015.00**
165150	10/26/2021	109351 TDX	3626158		GTRANS TIRE SUPPLIES	227.47
					Total :	**227.47**
165151	10/26/2021	111487 TERACAI CORPORATION	8079975		ISR 4321 BUNDLE W/ LICENSE, APPL B	1,560.00
					Total :	**1,560.00**

Bank code : usb

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
165152	10/26/2021	110238 TIREHUB, LLC	23209150		TIRES - GY G647 RSS 128 L G 225 70/19	1,597.18
					Total :	**1,597.18**
165153	10/26/2021	109775 TOMS TRUCK CENTER NORTH COUNTY	1244616	037-10052	GTRANS AUTO PARTS	176.38
			1244659	037-10052	GTRANS AUTO PARTS	2,322.75
					Total :	**2,499.13**
165154	10/26/2021	120427 TOYO	2021-2568		HEADSHOT PORTRAIT - CD DIRECTOR	165.00
					Total :	**165.00**
165155	10/26/2021	111481 TRIO COMMUNITY MEALS, LLC	INV4650006753	034-00480	SENIOR FEEDING PROGRAM	11,762.52
					Total :	**11,762.52**
165156	10/26/2021	111481 TRIO COMMUNITY MEALS, LLC	INV4650006787	034-00480	SENIOR FEEDING PROGRAM	11,590.95
			INV4650006825	034-00480	SENIOR FEEDING PROGRAM	11,311.65
			INV4650007062	034-00480	SENIOR FEEDING PROGRAM	11,423.37
					Total :	**34,325.97**
165157	10/26/2021	109900 U.S. BANK CORPORATE PAYMENT, SYSTEMS	CRESPO 09/22/21		CAL CARD STATEMENT 08/24-09/22/21	3,813.12
			PD TRAINING 09/22/21	S	CAL CARD STATEMENT 08/24-09/22/21	-342.29
			PD TRAINING2 9/22/21		CAL CARD STATEMENT 08/24-09/22/21	3,286.25
			PD TRAINING3 9/22/21		CAL CARD STATEMENT 08/24-09/22/21	109.18
			PD TRAINING4 9/22/21		CAL CARD STATEMENT 08/24-09/22/21	2,786.38
			RECREATION 09/22/21		CAL CARD STATEMENT 08/24-09/22/21	3,575.81
			SANTOS 09/22/21		CAL CARD STATEMENT 08/24-09/22/21	2,345.53
					Total :	**15,573.98**
165158	10/26/2021	109220 U.S. BANK EQUIPMENT FINANCE	454253048		RICOH MPC4503 COPIER LEASE - CD	163.40
					Total :	**163.40**
165159	10/26/2021	107274 U.S. TOW, INC.	04033	037-10046	TOWING SERVICES FOR BUS #723	60.00
			04046	037-10046	TOWING SERVICES FOR BUS #728	60.00
			04047	037-10046	TOWING SERVICES FOR BUS #723	60.00
			04053	037-10046	TOWING SERVICES FOR BUS #718	60.00
			04061	037-10046	TOWING SERVICES FOR BUS #735	60.00
			04062	037-10046	TOWING SERVICES FOR UNIT #H-2	30.00
			04070	037-10046	TOWING SERVICES FOR BUS #728	60.00

Bank code : usb

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
165159	10/26/2021	107274 U.S. TOW, INC.	(Continued)			
			04088	037-10046	TOWING SERVICES FOR BUS #762	60.00
			04100	037-10046	TOWING SERVICES FOR BUS #730	60.00
			04115	037-10046	TOWING SERVICES FOR BUS #766	60.00
			04188	037-10046	TOWING SERVICES FOR BUS #761	60.00
			04189	037-10046	TOWING SERVICES FOR BUS #1501	156.00
			04190	037-10046	TOWING SERVICES FOR BUS #735	60.00
			04192	037-10046	TOWING SERVICES FOR BUS #2012	60.00
			04195	037-10046	TOWING SERVICES FOR FORD F350	60.00
			04664	037-10046	TOWING SERVICES FOR BUS #632	138.00
			04665	037-10046	TOWING SERVICES FOR BUS #1501	216.00
			04666	037-10046	TOWING SERVICES FOR BUS #1501	264.00
					Total :	**1,584.00**
165160	10/26/2021	104692 ULINE	139264489		BUS SHOP SUPPLIES	278.40
			139625987		BUS SHOP SUPPLIES	886.89
					Total :	**1,165.29**
165161	10/26/2021	121275 UNDERGROUND SERVICE ALERT, OF SC	920210285		NEW TICKETS	102.40
			dsb20204824		NEW TICKETS	55.38
					Total :	**157.78**
165162	10/26/2021	119825 UNITED ROTARY BRUSH CORP.	CI1273733	024-00776	STREET SWEEPER SUPPLIES	2,862.09
					Total :	**2,862.09**
165163	10/26/2021	105549 VALDEZ, MATILDE	SEPTEMBER 2021		CHILD CARE PROVIDER	9,190.00
					Total :	**9,190.00**
165164	10/26/2021	110586 VARGAS, FLAVIO	11/07-11/10/21		APTA CONFERENCE & EXPO - PER DIE	150.00
					Total :	**150.00**
165165	10/26/2021	111871 VCI UTILITY SERVICES	PERMIT #14818		PERMIT DEPOSIT REFUND - W. ROSEC	1,000.00
					Total :	**1,000.00**
165166	10/26/2021	105316 VECTOR RESOURCES, INC.	89734		SERVICE REPAIR - NCC AUDIO SYSTEI	500.00
					Total :	**500.00**
165167	10/26/2021	108619 VERITEXT	5321790		CERTIFIED TRANSCRIPTION	761.60

Bank code : usb

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
165167	10/26/2021	108619 108619 VERITEXT	(Continued)		**Total :**	**761.60**
165168	10/26/2021	103841 VILLAGE AUTO SPA	JUL-SEPT 2021		CAR WASH	272.78
					Total :	**272.78**
165169	10/26/2021	223625 WARREN, EUGENE	101821		REFUND - LA COUNTY FUNDS RETURN	146.84
					Total :	**146.84**
165170	10/26/2021	101195 WASTE RESOURCES GARDENA	101921		WASTE COLLECTION	256,809.72
					Total :	**256,809.72**
165171	10/26/2021	109523 WATTS, FRAZIER	11/07-11/10/21		APTA CONFERENCE & EXPO - PER DIE	150.00
					Total :	**150.00**
165172	10/26/2021	100107 WAYNE ELECTRIC CO.	202432		GTRANS AUTO PARTS	361.35
					Total :	**361.35**
165173	10/26/2021	107058 WAYNE PERRY INC.	PERMIT #14722		PERMIT DEPOSIT REFUND - 1408 ROSI	1,000.00
					Total :	**1,000.00**
165174	10/26/2021	123154 WEST COAST ARBORISTS, INC.	177559	024-00765	TREE TRIMMING SERVICES	828.00
					Total :	**828.00**
165175	10/26/2021	110370 WESTERN COLLISION CENTER, INC	1071	035-01115	2018 FORD EXPLR #1554880 BODY REI	4,535.96
					Total :	**4,535.96**
165176	10/26/2021	109342 WHITMAN ELECTRIC	91621		ELECTRICAL POLE REPAIR - ARTESIA I	1,439.15
					Total :	**1,439.15**
165177	10/26/2021	123050 WILLIAMS SCOTSMAN, INC.	9011655386		MODULAR BUILDING RENTAL CPX-804	-1,043.03
			9011655387		MODULAR BUILDING RENTAL CPX-804	-893.03
			9011679969	035-01105	MODULAR BUILDING RENTAL CPX-804	2,212.87
					Total :	**276.81**
165178	10/26/2021	125001 YAMADA COMPANY, INC.	81240		PARK MAINT SUPPLIES	13.06
			81288		PARK MAINT SUPPLIES	88.09
			81309		TREE PROGRAM SUPPLIES	47.30

Bank code : usb

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
165178	10/26/2021	125001 125001 YAMADA COMPANY, INC.	(Continued)		**Total :**	**148.45**
165179	10/26/2021	107051 ZAVALETA, MARITZA	SEPTEMBER 2021		CHILD CARE PROVIDER	2,551.00
					Total :	**2,551.00**
165180	10/26/2021	109768 ZEBRA, C/O CTE	2156	037-10081	GTRANS MEMBERSHIP DUES	3,000.00
					Total :	**3,000.00**
165181	10/26/2021	104934 ZUMAR INDUSTRIES, INC.	94405		GTRANS BUS SIGNAGE	1,077.46
					Total :	**1,077.46**
221	**Vouchers for bank code :**	usb			**Bank total :**	**1,999,433.87**
221	**Vouchers in this report**				**Total vouchers :**	**1,999,433.87**

Bank code : usb

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount

CLAIMS VOUCHER APPROVAL

I hereby certify that the demands or claims covered by the checks listed on pages 1 to 25 inclusive of the check register are accurate and funds are available for payment thereof.

By: _____

Director of Administrative Services

This is to certify that the claims or demands covered by checks listed on pages 1 to 25 inclusive of the check register have been audited by the City Council of the City of Gardena and that all of the said checks are approved for payment except check numbers:

_____

_____ 10/26/2021
Mayor Date

_____ _____
Councilmember Date

_____ _____
Councilmember Date

Acknowledged:

_____ _____
Councilmember Date

_____ _____
Councilmember Date

CITY of GARDENA

TO: THE HONORABLE MAYOR AND CITY COUNCIL

SUBJECT: PERSONNEL REPORT

1. Report the count of confirmed COVID-19 employee cases.
   Total Count: Eighty-Eight (88)
   a. Administrative Services Department: One (1)
   b. City Clerk's Office: Two (2)
   c. Elected & Administrative Offices: One (1)
   d. Community Development Department: Two (2)
   e. Transportation Department: Twenty-Seven (27)
   f. Police Department: Thirty (32)
   g. Public Works Department: Eleven (11)
   h. Recreation & Human Services Department: Twelve (12)

2. Report the Probationary Appointment of the following individuals:

   a. ***KARLA URTIAGA*** to the position of Police Service Officer, Schedule 42 ($4,361 - $5,509/month) with the Police Department effective October 17,2021

   b. ***JAIME PRECIADO*** to the position of Community Services Officer, Schedule 42 (4,361- $5,509/month) with the Police Department effective October 18, 2021.

3. Report the Promotional Appointment of the following Individuals:

   a. ***AMBER SUIT*** to the position of Recreation Supervisor, Schedule 49 ($5,130 - $6,548/month) with the Recreation & Human Services Department effective October 17, 2021.

   b. ***JANINA HARTWILL*** to the position of Recreation Supervisor, Schedule 49 ($5,130 - $6,548/month) with the Recreation & Human Services Department effective October 18, 2021.

4. Report that the following individuals are on leave under the Family Medical Leave Act / California Family Rights Act:

   a. Police Officer, ***MARISOL BAZAN***, of the Police Department effective October 13, 2021 through December 4, 2021.

   b. Police Sargeant, ***JOHN FRANCIS***, of the Police Department effective October 7, 2021 through November 4, 2021.

5. Report that the following individuals have returned from leave:

   a. Police Lieutenant, ***MICHAEL SARGENT,*** of the Police Department effective October 11, 2021.

6. Report the recruitment for the Closed/Competitive position of Police Records Technician. This recruitment is scheduled to close October 25, 2021.

7. Report the recruitment for the Open/Competitive position of Program Coordinator. This recruitment closed on October 5, 2021.

8. Report the recruitment for the Open/Competitive position of Transit Equipment Mechanic (Transportation Department). This recruitment closed on October 13, 2021.

9. Report the recruitment for the Open/Competitive position of Human Resources Coordinator (Administrative Services Department). This recruitment open until filled.

10. Report the recruitment for the Open/Competitive position of Human Resources Analyst (Administrative Services Department). This recruitment open until filled.

RESOLUTION NO. 6533

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, REAFFIRMING PROCLAMATION AND RESOLUTION 6441 WHICH DECLARED THE EXISTENCE OF A LOCAL EMERGENCY

THE CITY COUNCIL OF THE CITY OF GARDENA DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, on March 16, 2020, the City Manager, as the City's Director of Emergency Services, due to the COVID-19 pandemic declared a local emergency as authorized by Government Code section 8630 and Gardena Municipal Code section 2.52.060. A true and correct copy of the Proclamation is attached hereto as Attachment "A" and incorporated herein by this reference; and

WHEREAS, on March 19, 2020, the City Council adopted Resolution 6441 to thereby ratify the City Manager's declaration of the local emergency due to the COVID-19 pandemic) A true and correct copy of Resolution 6441 is attached hereto as Attachment "B" and incorporated herein by this reference; and

WHEREAS, on May 12, 2020, the City Council adopted Resolution No. 6454 to reaffirm the City Manager's declaration of the local emergency due to the COVID-19 pandemic and Resolution 6441. A true and correct copy of Resolution No. 6454 is attached hereto as Attachment "C" and incorporated herein by this reference; and

WHEREAS, on July 14, 2020, the City Council adopted Resolution No. 6469 to reaffirm the City Manager's declaration of the local emergency due to the COVID-19 pandemic and Resolution 6441. A true and correct copy of Resolution No. 6469 is attached hereto as Attachment "D" and incorporated herein by this reference; and

WHEREAS, on September 8, 2020, the City Council adopted Resolution No. 6478 to reaffirm the City Manager's declaration of the local emergency due to the COVID-19 pandemic and Resolution 6441. A true and correct copy of Resolution No. 6478 is attached hereto as Attachment "E" and incorporated herein by this reference; and

WHEREAS, on October 27, 2020, the City Council adopted Resolution No. 6483 to reaffirm the City Manager's declaration of the local emergency due to the COVID-19 pandemic and Resolution 6441. A true and correct copy of Resolution No. 6483 is attached hereto as Attachment "F" and incorporated herein by this reference; and

WHEREAS, on December 15, 2020, the City Council adopted Resolution No. 6489 to reaffirm the City Manager's declaration of the local emergency due to the COVID-19 pandemic and Resolution 6441. A true and correct copy of Resolution No. 6489 is attached hereto as Attachment "G" and incorporated herein by this reference; and

WHEREAS, on February 9, 2021, the City Council adopted Resolution No. 6495 to reaffirm the City Manager's declaration of the local emergency due to the COVID-19 pandemic and Resolution 6441. A true and correct copy of Resolution No. 6495 is attached hereto as Attachment "H" and incorporated herein by this reference; and

WHEREAS, on March 23, 2021, the City Council adopted Resolution No. 6503 to reaffirm the City Manager's declaration of the local emergency due to the COVID-19 pandemic and Resolution 6441. A true and correct copy of Resolution No. 6503 is attached hereto as Attachment "I" and incorporated herein by this reference; and

WHEREAS, on May 11, 2021, the City Council adopted Resolution No. 6512 to reaffirm the City Manager's declaration of the local emergency due to the COVID-19 pandemic and Resolution 6441. A true and correct copy of Resolution No. 6512 is attached hereto as Attachment "J" and incorporated herein by this reference; and

WHEREAS, on June 22, 2021, the City Council adopted Resolution No. 6521 to reaffirm the City Manager's declaration of the local emergency due to the COVID-19 pandemic and Resolution 6441. A true and correct copy of Resolution No. 6521 is attached hereto as Attachment "K" and incorporated herein by this reference; and

WHEREAS, on August 10, 2021, the City Council adopted Resolution No. 6526 to reaffirm the City Manager's declaration of the local emergency due to the COVID-19 pandemic and Resolution 6441. A true and correct copy of Resolution No. 6526 is attached hereto as Attachment "L" and incorporated herein by this reference; and

WHEREAS, Government Code Section 8630(c) states that a City Council "shall review the need for continuing the local emergency at least once every 60 days until the governing body terminates the local emergency"; and

WHEREAS, the numbers of confirmed cases of COVID-19 and deaths in the City of Gardena and Los Angeles County continues; and

WHEREAS, conditions of extreme peril to the safety of persons and property

continue due to COVID-19 in the City of Gardena and Los Angeles County; and

WHEREAS, it is imperative to prepare for and respond to suspected or confirmed COVID-19 cases, to take measures to mitigate the spread of COVID-19; and

WHEREAS, if COVID-19 spreads at a rate comparable to the rate of spread in other locations, the number of persons requiring medical care may exceed locally available resources, and controlling outbreaks minimizes the risk to the public, maintains the health and safety of the community, and limits the spread of infection in the community and within the healthcare delivery system; and

WHEREAS, the reasons for declaring the local emergency still exist;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, DOES HEREBY FIND, DETERMINE, AND RESOLVE, AS FOLLOWS:

SECTION 1. The City Council reaffirms all portions of Resolution 6441, including all findings stated therein.

SECTION 2. The City Council reaffirms the ongoing need for the local emergency initially declared on by the City Manager's Proclamation of Local Emergency dated March 16, 2020 and orders contained therein and subsequently ratified by the City Council via Resolution 6441 on March 19, 2020 and reaffirmed by Resolution No. 6454 on May 12, 2020, Resolution No 6469 on July 14, 2020, Resolution No. 6478 on September 8, 2020, Resolution No. 6483 on October 27, 2020, Resolution No. 6489 on December 15, 2020, Resolution No. 6495 on February 9, 2021, Resolution No. 6503 on March 23, 2021, Resolution No. 6512 on May 11, 2021, Resolution No. 6521 on June 22, 2021 and Resolution No. 6526 on August 10, 2021.

SECTION 3. This local emergency shall continue to exist until the City Council proclaims the termination of this local emergency.

BE IT FURTHER RESOLVED that the City Clerk shall certify to the passage and adoption of this Resolution; shall cause the same to be entered among the original

Resolutions of said City; and shall make a minute of the passage and adoption thereof in the records of the proceedings of the City Council of said City in the minutes of the meeting at which the same is passed and adopted.

Passed, approved, and adopted this_____ day of October, 2021.

TASHA CERDA, Mayor

ATTEST:

MINA SEMENZA, City Clerk

APPROVED AS TO FORM:

CARMEN VASQUEZ, City Attorney

ATTACHMENT A

OFFICE of the CITY MANAGER
1700 WEST 162nd STREET / GARDENA, CALIFORNIA 90247-3732 / WWW.CITYOFGARDENA.ORG / PHONE (310) 217-9503

March 16, 2020
REF. 2020.060

A PROCLAMATION BY THE CITY MANAGER OF THE CITY OF GARDENA, CALIFORNIA, ACTING AS THE DIRECTOR OF EMERGENCY SERVICES, DECLARING THE EXISTENCE OF A LOCAL EMERGENCY

WHEREAS, Gardena Municipal Code Chapter 2.56.060 empowers the City Manager, as the Director of Emergency Services, to declare the existence or threatened existence of a local emergency when the City is affected or likely to be affected by a public calamity; and

WHEREAS, Government Code Section 8550 et seq., including Section 8558(c), authorize the City Manager to proclaim a local emergency when the City is threatened by conditions of disaster or extreme peril to the safety of persons and property within the City that are likely to be beyond the control of the services, personnel, equipment, and facilities of the City; and

WHEREAS, a novel coronavirus, COVID-19, causes infectious disease and was first detected in Wuhan City, Hubei Province, China in December 2019. Symptoms of COVID-19 include fever, cough, and shortness of breath; outcomes have ranged from mild to severe illness, and, in some cases, death. The Center for Disease Control and Prevention (CDC) has indicated the virus is a tremendous public health threat; and

WHEREAS, Chinese health officials have reported tens of thousands of cases of COVID-19 in China, with the virus reportedly spreading from person-to-person. COVID-19 illnesses, most of them associated with travel from Wuhan, are also being reported in 117 countries, with over 44,000 cases, including the United States; and

TASHA CERDA, Mayor / ART KASKANIAN, Mayor Pro Tem
MARK E. HENDERSON, Councilmember / DAN MEDINA, Councilmember / RODNEY G. TANAKA, Councilmember
MINA SEMENZA, City Clerk / J. INGRID TSUKIYAMA, City Treasurer / CLINT OSORIO, City Manager / CARMEN VASQUEZ, City Attorney

WHEREAS, on January 30, 2020, the World Health Organization (WHO) declared the outbreak a "public health emergency of international concern". On January 31, 2020, United States Health and Human Services Secretary Alex M. Azar II declared a Public Health Emergency for the United States to aid the nation's healthcare community in responding to COVID-19. On March 11, 2020, the WHO elevated the public health emergency to the status of a pandemic; and

WHEREAS, on March 4, 2020, California Governor Gavin Newsom declared a State of Emergency in California; and

WHEREAS, on March 4, 2020, the County of Los Angeles Public Health Department declared a local health emergency in response to COVID-19 activity and, on March 11, 2020, announced the first death in the County due to COVID-19; and

WHEREAS, in declaring a State of Emergency, the Governor indicated that, as of March 4, 2020, there were 129 confirmed cases of COVID-19 in the United States, including 53 in California, and more than 9,400 Californians across 49 counties in home monitoring based on possible travel-based exposure to the virus, with officials expecting the number of cases in California, the United States, and worldwide to increase; and

WHEREAS, the Governor and the California Department of Health on March 11, 2020 issued a statement entitled "California Public Health Experts: Mass Gatherings Should be Postponed or Canceled Statewide to Slow the Spread of COVID-19," determining that gatherings should be postponed or canceled across the state until at least the end of March. Non-essential gatherings must be limited to no more than 50 people, while smaller events can proceed only if the organizers can implement social distancing of 6 feet per person. Gatherings of individuals who are at higher risk for severe illness from COVID-19 should be limited to no more than 10 people, while also following social distancing guidelines. Furthermore, essential gatherings should only be conducted if the essential activity could not be postponed or achieved without gathering, meaning that some other means of communication could not be used to conduct the essential function; and

WHEREAS, the Governor on March 12, 2020 issued Executive Order N-25-20, ordering, inter alia, that all residents are to heed the orders and guidance of state and local public health officials; and

WHEREAS; on March 13, 2020, the President of the United States issued a proclamation declaring the COVID-19 outbreak in the United States as a national emergency, beginning March 1, 2020; and

WHEREAS, the City of Gardena has the power to impose measures to promote social distancing including but not limited to limitations on public events; and

WHEREAS, Gardena is a densely populated city within Los Angeles County, which is the largest county in the United States, with one of the highest population densities; and

WHEREAS, conditions of extreme peril to the safety of persons and property have arisen due to the potential introduction of COVID-19 to the City of Gardena and Los Angeles County; and

WHEREAS, such conditions are beyond the control of the services, personnel, equipment, and facilities of the City and require the combined forces of other political subdivisions to combat; and

WHEREAS, it is imperative to prepare for and respond to suspected or confirmed COVID-19 cases, to implement measures to mitigate the spread of COVID-19, and to prepare to respond to an increasing number of individuals requiring medical care and hospitalization; and

WHEREAS, if COVID-19 spreads in California at a rate comparable to the rate of spread in other countries, the number of persons requiring medical care may exceed locally available resources, and controlling outbreaks minimizes the risk to the public, maintains the health and safety of the community, and limits the spread of infection in the community and within the healthcare delivery system; and

WHEREAS, the mobilization of local resources, ability to coordinate interagency response, accelerate procurement of vital supplies, use mutual aid, and allow for future

reimbursement by the state and federal governments will be critical to successfully responding to COVID-19; and

WHEREAS, the City Manager, as the City's Director of Emergency Services, has the power to declare a local emergency as authorized by Government Code section 8630 and Gardena Municipal Code Chapter 2.56.060.

NOW, THEREFORE, IT IS PROCLAIMED AND ORDERED by the City Manager of the City of Gardena as follows:

A. As contemplated in the Emergency Services Act contained in Government Code Section 8550 et seq., including Section 8558(c), and Chapter 2.56 of the Gardena Municipal Code, a local emergency exists based on the existence of conditions of disaster or of extreme peril to the safety of persons and property caused by an epidemic, as detailed in the recitals set forth above.

B. The area of the City which is endangered/imperiled is the entire City.

C. During the existence of this local emergency, the powers, functions, and duties of the emergency organization of this City shall be those prescribed by state law and by local ordinances and regulations, including, but not limited to, Chapter 2.56 of the Gardena Municipal Code and any other applicable resolutions of this City;

A. The City Council shall review and ratify this proclamation within 7 days as required by state law, and if ratified, shall continue to exist until the City Council proclaims the termination of this local emergency. The City Council shall review the need for continuing the local emergency as required by state law until it terminates the local emergency, and shall terminate the local emergency at the earliest possible date that conditions warrant.

B. That the City of Gardena orders that, within the boundaries of the City of Gardena, the Public Health Experts' recommendations shall be deemed mandatory.

C. That a copy of this proclamation be forwarded to the Director of California Governor's Office of Emergency Services requesting that the Director find

it acceptable in accordance with State Law; that the Governor of California, pursuant to the Emergency Services Act, issue a proclamation declaring an emergency in the City of Gardena; that the Governor waive regulations that may hinder response and recovery efforts; that recovery assistance be made available under the California Disaster Assistance Act; and that the State expedite access to State and Federal resources and any other appropriate federal disaster relief programs.

PROCLAIMED this 16th day of March, 2020.

Clint Osorio,
City Manager/Director of Emergency Services

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A PROCLAMATION OF LOCAL EMERGENCY FOR THE CITY OF GARDENA, CALIFORNIA BY THE CITY MANAGER (DIRECTOR OF EMERGENCY SERVICES) ON THE 16TH DAY OF MARCH, 2020.

ATTEST:

/s/ MINA SEMENZA

MINA SEMENZA, City Clerk

ATTACHMENT B

RESOLUTION NO. 6441

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, RATIFYING THE ACTION OF THE CITY MANAGER ACTING AS THE DIRECTOR OF EMERGENCY SERVICES IN PROCLAIMING THE EXISTENCE OF A LOCAL EMERGENCY IN THE CITY OF GARDENA

WHEREAS, Gardena Municipal Code Chapter 2.56.060 empowers the City Manager, as the Director of Emergency Services, to declare the existence or threatened existence of a local emergency when the City is affected or likely to be affected by a public calamity; and

WHEREAS, Government Code Section 8550 et seq., including Section 8558(c), authorize the City Council to proclaim a local emergency when the City is threatened by conditions of disaster or extreme peril to the safety of persons and property within the City that are likely to be beyond the control of the services, personnel, equipment, and facilities of the City; and

WHEREAS, a novel coronavirus, COVID-19, causes infectious disease and was first detected in Wuhan City, Hubei Province, China in December 2019. Symptoms of COVID-19 include fever, cough, and shortness of breath; outcomes have ranged from mild to severe illness, and, in some cases, death. The Center for Disease Control and Prevention (CDC) has indicated the virus is a tremendous public health threat; and

WHEREAS, Chinese health officials have reported tens of thousands of cases of COVID-19 in China, with the virus reportedly spreading from person-to-person. COVID-19 illnesses, most of them associated with travel from Wuhan, are also being reported in 117 countries, with over 44,000 cases, including the United States; and

WHEREAS, on January 30, 2020, the World Health Organization (WHO) declared the outbreak a "public health emergency of international concern". On January 31, 2020, United States Health and Human Services Secretary Alex M. Azar II declared a Public Health Emergency for the United States to aid the nation's healthcare community in responding to COVID-19. On March 11, 2020, the WHO elevated the public health emergency to the status of a pandemic; and

WHEREAS, on March 4, 2020, California Governor Gavin Newsom declared a State of Emergency in California; and

WHEREAS, on March 4, 2020, the County of Los Angeles Public Health Department declared a local health emergency in response to COVID-19 activity and, on March 11, 2020, announced the first death in the County due to COVID-19; and

WHEREAS, in declaring a State of Emergency, the Governor indicated that, as of March 4, 2020, there were 129 confirmed cases of COVID-19 in the United States, including 53 in California, and more than 9,400 Californians across 49 counties in home monitoring based on possible travel-based exposure to the virus, with officials expecting the number of cases in California, the United States, and worldwide to increase; and

WHEREAS, the Governor and the California Department of Health on March 11, 2020 issued a statement entitled "California Public Health Experts: Mass Gatherings Should be Postponed or Canceled Statewide to Slow the Spread of COVID-19," determining that gatherings should be postponed or canceled across the state until at least the end of March. Non-essential gatherings must be limited to no more than 50 people, while smaller events can proceed only if the organizers can implement social distancing of 6 feet per person. Gatherings of individuals who are at higher risk for severe illness from COVID-19 should be limited to no more than 10 people, while also following social distancing guidelines. Furthermore, essential gatherings should only be conducted if the essential activity could not be postponed or achieved without gathering, meaning that some other means of communication could not be used to conduct the essential function; and

WHEREAS, the Governor on March 12, 2020 issued Executive Order N-25-20, ordering, inter alia, that all residents are to heed the orders and guidance of state and local public health officials; and

WHEREAS; on March 13, 2020, the President of the United States issued a proclamation declaring the COVID-19 outbreak in the United States as a national emergency, beginning March 1, 2020; and

WHEREAS, the City of Gardena has the power to impose measures to promote social distancing including but not limited to limitations on public events; and

WHEREAS, Gardena is a densely populated city within Los Angeles County, which is the largest county in the United States, with one of the highest population densities; and

WHEREAS, conditions of extreme peril to the safety of persons and property have arisen due to the potential introduction of COVID-19 to the City of Gardena and Los Angeles County; and

WHEREAS, such conditions are beyond the control of the services, personnel, equipment, and facilities of the City and require the combined forces of other political subdivisions to combat; and

WHEREAS, it is imperative to prepare for and respond to suspected or confirmed COVID-19 cases, to implement measures to mitigate the spread of COVID-19, and to prepare to respond to an increasing number of individuals requiring medical care and hospitalization; and

WHEREAS, if COVID-19 spreads in California at a rate comparable to the rate of spread in other countries, the number of persons requiring medical care may exceed locally available resources, and controlling outbreaks minimizes the risk to the public, maintains the

health and safety of the community, and limits the spread of infection in the community and within the healthcare delivery system; and

WHEREAS, the mobilization of local resources, ability to coordinate interagency response, accelerate procurement of vital supplies, use mutual aid, and allow for future reimbursement by the state and federal governments will be critical to successfully responding to COVID-19; and

WHEREAS, on March 16, 2020 the City Manager, as the City's Director of Emergency Services, has declared a local emergency as authorized by Government Code section 8630 and Gardena Municipal Code Chapter 2.56.060. A true and correct copy of the City Manager's Proclamation is attached hereto and incorporated herein by this reference as Attachment "A".

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, DOES HEREBY FIND, DETERMINE, AND RESOLVE, AS FOLLOWS:

SECTION 1. The City Manager's Proclamation of Local Emergency dated March 16, 2020, and orders contained therein, is hereby ratified.

SECTION 2. As contemplated in the Emergency Services Act contained in Government Code Section 8550 et seq., including Section 8558(c), and Chapter 2.56 of the Gardena Municipal Code, a local emergency exists based on the existence of conditions of disaster or of extreme peril to the safety of persons and property caused by an epidemic, as detailed in the recitals set forth above.

SECTION 3. The area of the City which is endangered/imperiled is the entire City.

SECTION 4. During the existence of this local emergency, the powers, functions, and duties of the emergency organization of this City shall be those prescribed by state law and by local ordinances and regulations, including, but not limited to, Chapter 2.56 of the Gardena Municipal Code and any other applicable resolutions of this City;

SECTION 5. This local emergency shall continue to exist until the City Council proclaims the termination of this local emergency.

SECTION 6. That the City of Gardena orders that, within the boundaries of the City of Gardena, the Public Health Experts' recommendations shall be deemed mandatory.

SECTION 7. That the City Manager is authorized to furnish information, to enter into agreements, and to take all actions necessary to implement preventative measures to protect and preserve the public health of the City from the COVID-19 public health hazard.

SECTION 8. That a copy of this resolution and the emergency proclamation be forwarded to the Director of California Governor's Office of Emergency Services requesting that the Director find it acceptable in accordance with State Law; that the Governor of California, pursuant to the Emergency Services Act, issue a proclamation declaring an emergency in the

City of Gardena; that the Governor waive regulations that may hinder response and recovery efforts; that recovery assistance be made available under the California Disaster Assistance Act; and that the State expedite access to State and Federal resources and any other appropriate federal disaster relief programs.

BE IT FURTHER RESOLVED that the City Clerk shall certify to the passage and adoption of this Resolution; shall cause the same to be entered among the original Resolutions of said City; and shall make a minute of the passage and adoption thereof in the records of the proceedings of the City Council of said City in the minutes of the meeting at which the same is passed and adopted.

Passed, approved, and adopted this 19th day of March, 2020.

Tasha Cerda
TASHA CERDA, Mayor

ATTEST:

Becky Romero
for MINA SEMENZA, City Clerk

APPROVED AS TO FORM:

CARMEN VASQUEZ, City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF GARDENA)

I, MINA SEMENZA, City Clerk of the City of Gardena, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Resolution, being **Resolution No. 6441** duly passed and adopted by the City Council of said City of Gardena, approved and signed by the Mayor of said City, and attested by the City Clerk, all at an emergency meeting of said City Council held on the **19th day** of **March, 2020,** and that the same was so passed and adopted by the following roll call vote:

AYES: COUNCIL MEMBERS HENDERSON, MEDINA AND TANAKA, MAYOR PRO TEM KASKANIAN AND MAYOR CERDA

NOES: NONE

ABSENT: NONE

Becky Romero
for City Clerk of the City of Gardena, California

(SEAL)

ATTACHMENT C

RESOLUTION NO. 6454

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, REAFFIRMING PROCLAMATION AND RESOLUTION 6441 WHICH DECLARED THE EXISTENCE OF A LOCAL EMERGENCY

THE CITY COUNCIL OF THE CITY OF GARDENA DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, on March 16, 2020, the City Manager, as the City's Director of Emergency Services, due to the COVID-19 pandemic declared a local emergency as authorized by Government Code section 8630 and Gardena Municipal Code section 2.52.060. A true and correct copy of the Proclamation is attached hereto as Attachment "A" and incorporated herein by this reference; and

WHEREAS, on March 19, 2020, the City Council adopted Resolution 6441 to thereby ratify the City Manager's declaration of the local emergency due to the COVID-19 pandemic) A true and correct copy of Resolution 6441 is attached hereto as Attachment "B" and incorporated herein by this reference; and

WHEREAS, Government Code Section 8630(c) states that a City Council "shall review the need for continuing the local emergency at least once every 60 days until the governing body terminates the local emergency"; and

WHEREAS, as of May 7, 2020, there have been 29,427 confirmed cases of COVID-19 in Los Angeles County, which have resulted in 1,418 deaths; and

WHEREAS, the numbers of confirmed cases and deaths continue to increase; and

WHEREAS, conditions of extreme peril to the safety of persons and property continue due to COVID-19 in Gardena and Los Angeles County; and

WHEREAS, it is imperative to prepare for and respond to suspected or confirmed COVID-19 cases, to take measures to mitigate the spread of COVID-19, and to prepare to respond to an increasing number of individuals requiring medical care and hospitalization; and

WHEREAS, if COVID-19 spreads at a rate comparable to the rate of spread in other locations, the number of persons requiring medical care may exceed locally available resources, and controlling outbreaks minimizes the risk to the public, maintains the health and safety of the community, and limits the spread of infection in the community and within the healthcare delivery system; and

WHEREAS, the reasons for declaring the local emergency still exist;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, DOES HEREBY FIND, DETERMINE, AND RESOLVE, AS FOLLOWS:

SECTION 1. The City Council reaffirms all portions of the Proclamation declared by the City Manager's Proclamation of Local Emergency dated March 16, 2020, including all orders contained therein.

SECTION 2. The City Council reaffirms all portions of Resolution 6441, including all findings stated therein.

SECTION 3. This local emergency shall continue to exist until the City Council proclaims the termination of this local emergency.

BE IT FURTHER RESOLVED that the City Clerk shall certify to the passage and adoption of this Resolution; shall cause the same to be entered among the original Resolutions of said City; and shall make a minute of the passage and adoption thereof in the records of the proceedings of the City Council of said City in the minutes of the meeting at which the same is passed and adopted.

Passed, approved, and adopted this 12th day of May, 2020.

Mark E. Henderson for

TASHA CERDA, Mayor

ATTEST:

Becky Romero

for MINA SEMENZA, City Clerk

APPROVED AS TO FORM:

CARMEN VASQUEZ, City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF GARDENA)

I, MINA SEMENZA, City Clerk of the City of Gardena, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Resolution, being **Resolution No. 6454** duly passed and adopted by the City Council of said City of Gardena, approved and signed by the Mayor of said City, and attested by the City Clerk, all at a regular meeting of said City Council held on the **12th day of May, 2020**, and that the same was so passed and adopted by the following roll call vote:

AYES: COUNCIL MEMBERS KASKANIAN AND TANAKA, MAYOR PRO TEM HENDERSON, COUNCIL MEMBER FRANCIS AND MAYOR CERDA

NOES: NONE

ABSENT: NONE

Becky Romero
for City Clerk of the City of Gardena, California

(SEAL)

ATTACHMENT D

RESOLUTION NO. 6469

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, REAFFIRMING PROCLAMATION AND RESOLUTION 6441 WHICH DECLARED THE EXISTENCE OF A LOCAL EMERGENCY

THE CITY COUNCIL OF THE CITY OF GARDENA DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, on March 16, 2020, the City Manager, as the City's Director of Emergency Services, due to the COVID-19 pandemic declared a local emergency as authorized by Government Code section 8630 and Gardena Municipal Code section 2.52.060. A true and correct copy of the Proclamation is attached hereto as Attachment "A" and incorporated herein by this reference; and

WHEREAS, on March 19, 2020, the City Council adopted Resolution 6441 to thereby ratify the City Manager's declaration of the local emergency due to the COVID-19 pandemic) A true and correct copy of Resolution 6441 is attached hereto as Attachment "B" and incorporated herein by this reference; and

WHEREAS, Government Code Section 8630(c) states that a City Council "shall review the need for continuing the local emergency at least once every 60 days until the governing body terminates the local emergency"; and

WHEREAS, the numbers of confirmed cases of COVID-19 and deaths in the City of Gardena and Los Angeles County continues to increase; and

WHEREAS, conditions of extreme peril to the safety of persons and property continue due to COVID-19 in the City of Gardena and Los Angeles County; and

WHEREAS, it is imperative to prepare for and respond to suspected or confirmed COVID-19 cases, to take measures to mitigate the spread of COVID-19, and to prepare to respond to an increasing number of individuals requiring medical care and hospitalization; and

WHEREAS, if COVID-19 spreads at a rate comparable to the rate of spread in other locations, the number of persons requiring medical care may exceed locally available resources, and controlling outbreaks minimizes the risk to the public, maintains the health and safety of the community, and limits the spread of infection in the community and within the healthcare delivery system; and

WHEREAS, the reasons for declaring the local emergency still exist;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, DOES HEREBY FIND, DETERMINE, AND RESOLVE, AS FOLLOWS:

SECTION 1. The City Council reaffirms all portions of the Proclamation declared by the City Manager's Proclamation of Local Emergency dated March 16, 2020, including all orders contained therein.

SECTION 2. The City Council reaffirms all portions of Resolution 6441, including all findings stated therein.

SECTION 3. This local emergency shall continue to exist until the City Council proclaims the termination of this local emergency.

BE IT FURTHER RESOLVED that the City Clerk shall certify to the passage and adoption of this Resolution; shall cause the same to be entered among the original Resolutions of said City; and shall make a minute of the passage and adoption thereof in the records of the proceedings of the City Council of said City in the minutes of the meeting at which the same is passed and adopted.

Passed, approved, and adopted this 14th day of July, 2020.

Tasha Cerda
TASHA CERDA, Mayor

ATTEST:

Becky Romero
for MINA SEMENZA, City Clerk

APPROVED AS TO FORM:

CARMEN VASQUEZ, City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF GARDENA)

I, MINA SEMENZA, City Clerk of the City of Gardena, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Resolution, being **Resolution No. 6469** duly passed and adopted by the City Council of said City of Gardena, approved and signed by the Mayor of said City, and attested by the City Clerk, all at a regular meeting of said City Council held on the **14th day of July, 2020,** and that the same was so passed and adopted by the following roll call vote:

AYES: COUNCIL MEMBER KASKANIAN, MAYOR PRO TEM HENDERSON, COUNCIL MEMBERS TANAKA AND FRANCIS AND MAYOR CERDA

NOES: NONE

ABSENT: NONE

Becky Romero

City Clerk of the City of Gardena, California

(SEAL)

ATTACHMENT E

RESOLUTION NO. 6478

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, REAFFIRMING PROCLAMATION AND RESOLUTION 6441 WHICH DECLARED THE EXISTENCE OF A LOCAL EMERGENCY

THE CITY COUNCIL OF THE CITY OF GARDENA DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, on March 16, 2020, the City Manager, as the City's Director of Emergency Services, due to the COVID-19 pandemic declared a local emergency as authorized by Government Code section 8630 and Gardena Municipal Code section 2.52.060. A true and correct copy of the Proclamation is attached hereto as Attachment "A" and incorporated herein by this reference; and

WHEREAS, on March 19, 2020, the City Council adopted Resolution 6441 to thereby ratify the City Manager's declaration of the local emergency due to the COVID-19 pandemic) A true and correct copy of Resolution 6441 is attached hereto as Attachment "B" and incorporated herein by this reference; and

WHEREAS, on May 12, 2020, the City Council adopted Resolution No. 6454 to reaffirm the City Manager's declaration of the local emergency due to the COVID-19 pandemic and Resolution 6441. A true and correct copy of Resolution No. 6454 is attached hereto as Attachment "C" and incorporated herein by this reference; and

WHEREAS, on July 14, 2020, the City Council adopted Resolution No. 6469 to reaffirm the City Manager's declaration of the local emergency due to the COVID-19 pandemic and Resolution 6441. A true and correct copy of Resolution No. 6469 is attached hereto as Attachment "D" and incorporated herein by this reference; and

WHEREAS, Government Code Section 8630(c) states that a City Council "shall review the need for continuing the local emergency at least once every 60 days until the governing body terminates the local emergency"; and

WHEREAS, the numbers of confirmed cases of COVID-19 and deaths in the City of Gardena and Los Angeles County continues to increase; and

WHEREAS, conditions of extreme peril to the safety of persons and property continue due to COVID-19 in the City of Gardena and Los Angeles County; and

WHEREAS, it is imperative to prepare for and respond to suspected or confirmed COVID-19 cases, to take measures to mitigate the spread of COVID-19; and

WHEREAS, if COVID-19 spreads at a rate comparable to the rate of spread in other locations, the number of persons requiring medical care may exceed locally available resources, and controlling outbreaks minimizes the risk to the public, maintains the health and safety of the community, and limits the spread of infection in the community and within the healthcare delivery system; and

WHEREAS, the reasons for declaring the local emergency still exist;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, DOES HEREBY FIND, DETERMINE, AND RESOLVE, AS FOLLOWS:

SECTION 1. The City Council reaffirms all portions of Resolution 6441, including all findings stated therein.

SECTION 2. The City Council reaffirms the ongoing need for the local emergency initially declared on by the City Manager's Proclamation of Local Emergency dated March 16, 2020 and orders contained therein and subsequently ratified by the City Council via Resolution 6441 on March 19, 2020 and reaffirmed by Resolution No. 6454 on May 12, 2020 and Resolution No 6469 on July 14, 2020.

SECTION 3. This local emergency shall continue to exist until the City Council proclaims the termination of this local emergency.

BE IT FURTHER RESOLVED that the City Clerk shall certify to the passage and adoption of this Resolution; shall cause the same to be entered among the original Resolutions of said City; and shall make a minute of the passage and adoption thereof in the records of the proceedings of the City Council of said City in the minutes of the meeting at which the same is passed and adopted.

Passed, approved, and adopted this 8th day of September, 2020.

Tasha Cerda

TASHA CERDA, Mayor

ATTEST:

Becky Romero
for MINA SEMENZA, City Clerk

APPROVED AS TO FORM:

CARMEN VASQUEZ, City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF GARDENA)

I, MINA SEMENZA, City Clerk of the City of Gardena, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Resolution, being **Resolution No. 6478** duly passed and adopted by the City Council of said City of Gardena, approved and signed by the Mayor of said City, and attested by the City Clerk, all at a regular meeting of said City Council held on the **8th day of September, 2020,** and that the same was so passed and adopted by the following roll call vote:

AYES: COUNCIL MEMBER KASKANIAN, MAYOR PRO TEM HENDERSON, COUNCIL MEMBERS TANAKA AND FRANCIS AND MAYOR CERDA

NOES: NONE

ABSENT: NONE

Becky Romero
for City Clerk of the City of Gardena, California

(SEAL)

ATTACHMENT F

RESOLUTION NO. 6483

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, REAFFIRMING PROCLAMATION AND RESOLUTION 6441 WHICH DECLARED THE EXISTENCE OF A LOCAL EMERGENCY

THE CITY COUNCIL OF THE CITY OF GARDENA DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, on March 16, 2020, the City Manager, as the City's Director of Emergency Services, due to the COVID-19 pandemic declared a local emergency as authorized by Government Code section 8630 and Gardena Municipal Code section 2.52.060. A true and correct copy of the Proclamation is attached hereto as Attachment "A" and incorporated herein by this reference; and

WHEREAS, on March 19, 2020, the City Council adopted Resolution 6441 to thereby ratify the City Manager's declaration of the local emergency due to the COVID-19 pandemic) A true and correct copy of Resolution 6441 is attached hereto as Attachment "B" and incorporated herein by this reference; and

WHEREAS, on May 12, 2020, the City Council adopted Resolution No. 6454 to reaffirm the City Manager's declaration of the local emergency due to the COVID-19 pandemic and Resolution 6441. A true and correct copy of Resolution No. 6454 is attached hereto as Attachment "C" and incorporated herein by this reference; and

WHEREAS, on July 14, 2020, the City Council adopted Resolution No. 6469 to reaffirm the City Manager's declaration of the local emergency due to the COVID-19 pandemic and Resolution 6441. A true and correct copy of Resolution No. 6469 is attached hereto as Attachment "D" and incorporated herein by this reference; and

WHEREAS, on September 8, 2020, the City Council adopted Resolution No. 6483 to reaffirm the City Manager's declaration of the local emergency due to the COVID-19 pandemic and Resolution 6441. A true and correct copy of Resolution No. 6483 is attached hereto as Attachment "E" and incorporated herein by this reference; and

WHEREAS, Government Code Section 8630(c) states that a City Council "shall review the need for continuing the local emergency at least once every 60 days until the governing body terminates the local emergency"; and

WHEREAS, the numbers of confirmed cases of COVID-19 and deaths in the City of Gardena and Los Angeles County continues to increase; and

WHEREAS, conditions of extreme peril to the safety of persons and property continue due to COVID-19 in the City of Gardena and Los Angeles County; and

WHEREAS, it is imperative to prepare for and respond to suspected or confirmed COVID-19 cases, to take measures to mitigate the spread of COVID-19; and

WHEREAS, if COVID-19 spreads at a rate comparable to the rate of spread in other locations, the number of persons requiring medical care may exceed locally available resources, and controlling outbreaks minimizes the risk to the public, maintains the health and safety of the community, and limits the spread of infection in the community and within the healthcare delivery system; and

WHEREAS, the reasons for declaring the local emergency still exist;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, DOES HEREBY FIND, DETERMINE, AND RESOLVE, AS FOLLOWS:

SECTION 1. The City Council reaffirms all portions of Resolution 6441, including all findings stated therein.

SECTION 2. The City Council reaffirms the ongoing need for the local emergency initially declared on by the City Manager's Proclamation of Local Emergency dated March 16, 2020 and orders contained therein and subsequently ratified by the City Council via Resolution 6441 on March 19, 2020 and reaffirmed by Resolution No. 6454 on May 12, 2020, Resolution No 6469 on July 14, 2020 and Resolution No. 6478 on September 8, 2020.

SECTION 3. This local emergency shall continue to exist until the City Council proclaims the termination of this local emergency.

BE IT FURTHER RESOLVED that the City Clerk shall certify to the passage and adoption of this Resolution; shall cause the same to be entered among the original Resolutions of said City; and shall make a minute of the passage and adoption thereof in the records of the proceedings of the City Council of said City in the minutes of the meeting at which the same is passed and adopted.

Passed, approved, and adopted this 27th day of October, 2020.

Tasha Cerda
TASHA CERDA, Mayor

ATTEST:

Becky Romero
for MINA SEMENZA, City Clerk

APPROVED AS TO FORM:

CARMEN VASQUEZ, City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF GARDENA)

I, MINA SEMENZA, City Clerk of the City of Gardena, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Resolution, being **Resolution No. 6483** duly passed and adopted by the City Council of said City of Gardena, approved and signed by the Mayor of said City, and attested by the City Clerk, all at a regular meeting of said City Council held on the **27th day of October, 2020,** and that the same was so passed and adopted by the following roll call vote:

AYES: MAYOR PRO TEM HENDERSON, COUNCIL MEMBERS KASKANIAN, TANAKA, AND FRANCIS AND MAYOR CERDA

NOES: NONE

ABSENT: NONE

Becky Romero
for City Clerk of the City of Gardena, California

(SEAL)

ATTACHMENT G

RESOLUTION NO. 6489

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, REAFFIRMING PROCLAMATION AND RESOLUTION 6441 WHICH DECLARED THE EXISTENCE OF A LOCAL EMERGENCY

THE CITY COUNCIL OF THE CITY OF GARDENA DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, on March 16, 2020, the City Manager, as the City's Director of Emergency Services, due to the COVID-19 pandemic declared a local emergency as authorized by Government Code section 8630 and Gardena Municipal Code section 2.52.060. A true and correct copy of the Proclamation is attached hereto as Attachment "A" and incorporated herein by this reference; and

WHEREAS, on March 19, 2020, the City Council adopted Resolution 6441 to thereby ratify the City Manager's declaration of the local emergency due to the COVID-19 pandemic) A true and correct copy of Resolution 6441 is attached hereto as Attachment "B" and incorporated herein by this reference; and

WHEREAS, on May 12, 2020, the City Council adopted Resolution No. 6454 to reaffirm the City Manager's declaration of the local emergency due to the COVID-19 pandemic and Resolution 6441. A true and correct copy of Resolution No. 6454 is attached hereto as Attachment "C" and incorporated herein by this reference; and

WHEREAS, on July 14, 2020, the City Council adopted Resolution No. 6469 to reaffirm the City Manager's declaration of the local emergency due to the COVID-19 pandemic and Resolution 6441. A true and correct copy of Resolution No. 6469 is attached hereto as Attachment "D" and incorporated herein by this reference; and

WHEREAS, on September 8, 2020, the City Council adopted Resolution No. 6478 to reaffirm the City Manager's declaration of the local emergency due to the COVID-19 pandemic and Resolution 6441. A true and correct copy of Resolution No. 6478 is attached hereto as Attachment "E" and incorporated herein by this reference; and

WHEREAS, on October 27, 2020, the City Council adopted Resolution No. 6483 to reaffirm the City Manager's declaration of the local emergency due to the COVID-19 pandemic and Resolution 6441. A true and correct copy of Resolution No. 6483 is attached hereto as Attachment "F" and incorporated herein by this reference; and

WHEREAS, Government Code Section 8630(c) states that a City Council "shall review the need for continuing the local emergency at least once every 60 days until the governing body terminates the local emergency"; and

WHEREAS, the numbers of confirmed cases of COVID-19 and deaths in the City of Gardena and Los Angeles County continues to increase; and

WHEREAS, conditions of extreme peril to the safety of persons and property continue due to COVID-19 in the City of Gardena and Los Angeles County; and

WHEREAS, it is imperative to prepare for and respond to suspected or confirmed COVID-19 cases, to take measures to mitigate the spread of COVID-19; and

WHEREAS, if COVID-19 spreads at a rate comparable to the rate of spread in other locations, the number of persons requiring medical care may exceed locally available resources, and controlling outbreaks minimizes the risk to the public, maintains the health and safety of the community, and limits the spread of infection in the community and within the healthcare delivery system; and

WHEREAS, the reasons for declaring the local emergency still exist;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, DOES HEREBY FIND, DETERMINE, AND RESOLVE, AS FOLLOWS:

SECTION 1. The City Council reaffirms all portions of Resolution 6441, including all findings stated therein.

SECTION 2. The City Council reaffirms the ongoing need for the local emergency initially declared on by the City Manager's Proclamation of Local Emergency dated March 16, 2020 and orders contained therein and subsequently ratified by the City Council via Resolution 6441 on March 19, 2020 and reaffirmed by Resolution No. 6454 on May 12, 2020, Resolution No 6469 on July 14, 2020, Resolution No. 6478 on September 8, 2020 and Resolution No. 6483 on October 27, 2020.

SECTION 3. This local emergency shall continue to exist until the City Council proclaims the termination of this local emergency.

BE IT FURTHER RESOLVED that the City Clerk shall certify to the passage and adoption of this Resolution; shall cause the same to be entered among the original Resolutions of said City; and shall make a minute of the passage and adoption thereof in the records of the proceedings of the City Council of said City in the minutes of the meeting at which the same is passed and adopted.

Passed, approved, and adopted this 15 day of December, 2020.

Tasha Cerda
TASHA CERDA, Mayor

ATTEST:

Mina Semenza
MINA SEMENZA, City Clerk

APPROVED AS TO FORM:

CARMEN VASQUEZ, City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF GARDENA)

I, MINA SEMENZA, City Clerk of the City of Gardena, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Resolution, being **Resolution No. 6489** duly passed and adopted by the City Council of said City of Gardena, approved and signed by the Mayor of said City, and attested by the City Clerk, all at a regular meeting of said City Council held on the **15th** day of **December, 2020,** and that the same was so passed and adopted by the following roll call vote:

AYES: MAYOR PRO TEM HENDERSON AND COUNCIL MEMBERS TANAKA, KASKANIAN, FRANCIS AND MAYOR CERDA

NOES: NONE

ABSENT: NONE

Becky Romero
for City Clerk of the City of Gardena, California

(SEAL)

ATTACHMENT H

RESOLUTION NO. 6495

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, REAFFIRMING PROCLAMATION AND RESOLUTION 6441 WHICH DECLARED THE EXISTENCE OF A LOCAL EMERGENCY

THE CITY COUNCIL OF THE CITY OF GARDENA DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, on March 16, 2020, the City Manager, as the City's Director of Emergency Services, due to the COVID-19 pandemic declared a local emergency as authorized by Government Code section 8630 and Gardena Municipal Code section 2.52.060. A true and correct copy of the Proclamation is attached hereto as Attachment "A" and incorporated herein by this reference; and

WHEREAS, on March 19, 2020, the City Council adopted Resolution 6441 to thereby ratify the City Manager's declaration of the local emergency due to the COVID-19 pandemic) A true and correct copy of Resolution 6441 is attached hereto as Attachment "B" and incorporated herein by this reference; and

WHEREAS, on May 12, 2020, the City Council adopted Resolution No. 6454 to reaffirm the City Manager's declaration of the local emergency due to the COVID-19 pandemic and Resolution 6441. A true and correct copy of Resolution No. 6454 is attached hereto as Attachment "C" and incorporated herein by this reference; and

WHEREAS, on July 14, 2020, the City Council adopted Resolution No. 6469 to reaffirm the City Manager's declaration of the local emergency due to the COVID-19 pandemic and Resolution 6441. A true and correct copy of Resolution No. 6469 is attached hereto as Attachment "D" and incorporated herein by this reference; and

WHEREAS, on September 8, 2020, the City Council adopted Resolution No. 6478 to reaffirm the City Manager's declaration of the local emergency due to the COVID-19 pandemic and Resolution 6441. A true and correct copy of Resolution No. 6478 is attached hereto as Attachment "E" and incorporated herein by this reference; and

WHEREAS, on October 27, 2020, the City Council adopted Resolution No. 6483 to reaffirm the City Manager's declaration of the local emergency due to the COVID-19 pandemic and Resolution 6441. A true and correct copy of Resolution No. 6483 is attached hereto as Attachment "F" and incorporated herein by this reference; and

WHEREAS, on December 15, 2020, the City Council adopted Resolution No. 6489 to reaffirm the City Manager's declaration of the local emergency due to the COVID-19 pandemic and Resolution 6441. A true and correct copy of Resolution No. 6489 is attached hereto as Attachment "G" and incorporated herein by this reference; and

WHEREAS, Government Code Section 8630(c) states that a City Council "shall review the need for continuing the local emergency at least once every 60 days until the governing body terminates the local emergency"; and

WHEREAS, the numbers of confirmed cases of COVID-19 and deaths in the City of Gardena and Los Angeles County continues to increase; and

WHEREAS, conditions of extreme peril to the safety of persons and property continue due to COVID-19 in the City of Gardena and Los Angeles County; and

WHEREAS, it is imperative to prepare for and respond to suspected or confirmed COVID-19 cases, to take measures to mitigate the spread of COVID-19; and

WHEREAS, if COVID-19 spreads at a rate comparable to the rate of spread in other locations, the number of persons requiring medical care may exceed locally available resources, and controlling outbreaks minimizes the risk to the public, maintains the health and safety of the community, and limits the spread of infection in the community and within the healthcare delivery system; and

WHEREAS, the reasons for declaring the local emergency still exist;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, DOES HEREBY FIND, DETERMINE, AND RESOLVE, AS FOLLOWS:

SECTION 1. The City Council reaffirms all portions of Resolution 6441, including all findings stated therein.

SECTION 2. The City Council reaffirms the ongoing need for the local emergency initially declared on by the City Manager's Proclamation of Local Emergency dated March 16, 2020 and orders contained therein and subsequently ratified by the City Council via Resolution 6441 on March 19, 2020 and reaffirmed by Resolution No. 6454 on May 12, 2020, Resolution No 6469 on July 14, 2020, Resolution No. 6478 on September 8, 2020,

Resolution No. 6483 on October 27, 2020 and Resolution No. 6489 on December 15, 2020.

SECTION 3. This local emergency shall continue to exist until the City Council proclaims the termination of this local emergency.

BE IT FURTHER RESOLVED that the City Clerk shall certify to the passage and adoption of this Resolution; shall cause the same to be entered among the original Resolutions of said City; and shall make a minute of the passage and adoption thereof in the records of the proceedings of the City Council of said City in the minutes of the meeting at which the same is passed and adopted.

Passed, approved, and adopted this 9th day of February, 2021.

Tasha Cerda
TASHA CERDA, Mayor

ATTEST:

Becky Romero
for MINA SEMENZA, City Clerk

APPROVED AS TO FORM:

CARMEN VASQUEZ, City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF GARDENA)

I, MINA SEMENZA, City Clerk of the City of Gardena, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Resolution, being **Resolution No. 6495** duly passed and adopted by the City Council of said City of Gardena, approved and signed by the Mayor of said City, and attested by the City Clerk, all at a regular meeting of said City Council held on the **9th day of February, 2021,** and that the same was so passed and adopted by the following roll call vote:

AYES: COUNCIL MEMBERS KASKANIAN AND TANAKA, MAYOR PRO TEM HENDERSON, COUNCIL MEMBER FRANCIS AND MAYOR CERDA

NOES: NONE

ABSENT: NONE

Becky Romero
for City Clerk of the City of Gardena, California

(SEAL)

ATTACHMENT I

RESOLUTION NO. 6503

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, REAFFIRMING PROCLAMATION AND RESOLUTION 6441 WHICH DECLARED THE EXISTENCE OF A LOCAL EMERGENCY

THE CITY COUNCIL OF THE CITY OF GARDENA DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, on March 16, 2020, the City Manager, as the City's Director of Emergency Services, due to the COVID-19 pandemic declared a local emergency as authorized by Government Code section 8630 and Gardena Municipal Code section 2.52.060. A true and correct copy of the Proclamation is attached hereto as Attachment "A" and incorporated herein by this reference; and

WHEREAS, on March 19, 2020, the City Council adopted Resolution 6441 to thereby ratify the City Manager's declaration of the local emergency due to the COVID-19 pandemic) A true and correct copy of Resolution 6441 is attached hereto as Attachment "B" and incorporated herein by this reference; and

WHEREAS, on May 12, 2020, the City Council adopted Resolution No. 6454 to reaffirm the City Manager's declaration of the local emergency due to the COVID-19 pandemic and Resolution 6441. A true and correct copy of Resolution No. 6454 is attached hereto as Attachment "C" and incorporated herein by this reference; and

WHEREAS, on July 14, 2020, the City Council adopted Resolution No. 6469 to reaffirm the City Manager's declaration of the local emergency due to the COVID-19 pandemic and Resolution 6441. A true and correct copy of Resolution No. 6469 is attached hereto as Attachment "D" and incorporated herein by this reference; and

WHEREAS, on September 8, 2020, the City Council adopted Resolution No. 6478 to reaffirm the City Manager's declaration of the local emergency due to the COVID-19 pandemic and Resolution 6441. A true and correct copy of Resolution No. 6478 is attached hereto as Attachment "E" and incorporated herein by this reference; and

WHEREAS, on October 27, 2020, the City Council adopted Resolution No. 6483 to reaffirm the City Manager's declaration of the local emergency due to the COVID-19 pandemic and Resolution 6441. A true and correct copy of Resolution No. 6483 is attached hereto as Attachment "F" and incorporated herein by this reference; and

WHEREAS, on December 15, 2020, the City Council adopted Resolution No. 6489 to reaffirm the City Manager's declaration of the local emergency due to the COVID-19 pandemic and Resolution 6441. A true and correct copy of Resolution No. 6489 is attached hereto as Attachment "G" and incorporated herein by this reference; and

WHEREAS, on February 9, 2021, the City Council adopted Resolution No. 6495 to reaffirm the City Manager's declaration of the local emergency due to the COVID-19 pandemic and Resolution 6441. A true and correct copy of Resolution No. 6495 is attached hereto as Attachment "H" and incorporated herein by this reference; and

WHEREAS, Government Code Section 8630(c) states that a City Council "shall review the need for continuing the local emergency at least once every 60 days until the governing body terminates the local emergency"; and

WHEREAS, the numbers of confirmed cases of COVID-19 and deaths in the City of Gardena and Los Angeles County continues to increase; and

WHEREAS, conditions of extreme peril to the safety of persons and property continue due to COVID-19 in the City of Gardena and Los Angeles County; and

WHEREAS, it is imperative to prepare for and respond to suspected or confirmed COVID-19 cases, to take measures to mitigate the spread of COVID-19; and

WHEREAS, if COVID-19 spreads at a rate comparable to the rate of spread in other locations, the number of persons requiring medical care may exceed locally available resources, and controlling outbreaks minimizes the risk to the public, maintains the health and safety of the community, and limits the spread of infection in the community and within the healthcare delivery system; and

WHEREAS, the reasons for declaring the local emergency still exist;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, DOES HEREBY FIND, DETERMINE, AND RESOLVE, AS FOLLOWS:

SECTION 1. The City Council reaffirms all portions of Resolution 6441, including all findings stated therein.

SECTION 2. The City Council reaffirms the ongoing need for the local emergency

initially declared on by the City Manager's Proclamation of Local Emergency dated March 16, 2020 and orders contained therein and subsequently ratified by the City Council via Resolution 6441 on March 19, 2020 and reaffirmed by Resolution No. 6454 on May 12, 2020, Resolution No 6469 on July 14, 2020, Resolution No. 6478 on September 8, 2020, Resolution No. 6483 on October 27, 2020, Resolution No. 6489 on December 15, 2020 and Resolution No. 6495 on February 9, 2021.

SECTION 3. This local emergency shall continue to exist until the City Council proclaims the termination of this local emergency.

BE IT FURTHER RESOLVED that the City Clerk shall certify to the passage and adoption of this Resolution; shall cause the same to be entered among the original Resolutions of said City; and shall make a minute of the passage and adoption thereof in the records of the proceedings of the City Council of said City in the minutes of the meeting at which the same is passed and adopted.

Passed, approved, and adopted this 23rd day of March, 2021.

Tasha Cerda
TASHA CERDA, Mayor

ATTEST:

Becky Romero
for MINA SEMENZA, City Clerk

APPROVED AS TO FORM:

CARMEN VASQUEZ, City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF GARDENA)

I, MINA SEMENZA, City Clerk of the City of Gardena, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Resolution, being **Resolution No. 6503** duly passed and adopted by the City Council of said City of Gardena, approved and signed by the Mayor of said City, and attested by the City Clerk, all at a regular meeting of said City Council held on the **23rd day of March, 2021,** and that the same was so passed and adopted by the following roll call vote:

AYES: COUNCIL MEMBERS TANAKA, KASKANIAN, MAYOR PRO TEM HENDERSON AND COUNCIL MEMBER FRANCIS, AND MAYOR CERDA

NOES: NONE

ABSENT: NONE

Becky Romero
for City Clerk of the City of Gardena, California

CITY OF GARDENA
FREEWAY CITY
(SEAL)
INCORPORATED 1930

ATTACHMENT J

RESOLUTION NO. 6512

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, REAFFIRMING PROCLAMATION AND RESOLUTION 6441 WHICH DECLARED THE EXISTENCE OF A LOCAL EMERGENCY

THE CITY COUNCIL OF THE CITY OF GARDENA DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, on March 16, 2020, the City Manager, as the City's Director of Emergency Services, due to the COVID-19 pandemic declared a local emergency as authorized by Government Code section 8630 and Gardena Municipal Code section 2.52.060. A true and correct copy of the Proclamation is attached hereto as Attachment "A" and incorporated herein by this reference; and

WHEREAS, on March 19, 2020, the City Council adopted Resolution 6441 to thereby ratify the City Manager's declaration of the local emergency due to the COVID-19 pandemic) A true and correct copy of Resolution 6441 is attached hereto as Attachment "B" and incorporated herein by this reference; and

WHEREAS, on May 12, 2020, the City Council adopted Resolution No. 6454 to reaffirm the City Manager's declaration of the local emergency due to the COVID-19 pandemic and Resolution 6441. A true and correct copy of Resolution No. 6454 is attached hereto as Attachment "C" and incorporated herein by this reference; and

WHEREAS, on July 14, 2020, the City Council adopted Resolution No. 6469 to reaffirm the City Manager's declaration of the local emergency due to the COVID-19 pandemic and Resolution 6441. A true and correct copy of Resolution No. 6469 is attached hereto as Attachment "D" and incorporated herein by this reference; and

WHEREAS, on September 8, 2020, the City Council adopted Resolution No. 6478 to reaffirm the City Manager's declaration of the local emergency due to the COVID-19 pandemic and Resolution 6441. A true and correct copy of Resolution No. 6478 is attached hereto as Attachment "E" and incorporated herein by this reference; and

WHEREAS, on October 27, 2020, the City Council adopted Resolution No. 6483 to reaffirm the City Manager's declaration of the local emergency due to the COVID-19 pandemic and Resolution 6441. A true and correct copy of Resolution No. 6483 is attached hereto as Attachment "F" and incorporated herein by this reference; and

WHEREAS, on December 15, 2020, the City Council adopted Resolution No. 6489 to reaffirm the City Manager's declaration of the local emergency due to the COVID-19 pandemic and Resolution 6441. A true and correct copy of Resolution No. 6489 is attached hereto as Attachment "G" and incorporated herein by this reference; and

WHEREAS, on February 9, 2021, the City Council adopted Resolution No. 6495 to reaffirm the City Manager's declaration of the local emergency due to the COVID-19 pandemic and Resolution 6441. A true and correct copy of Resolution No. 6495 is attached hereto as Attachment "H" and incorporated herein by this reference; and

WHEREAS, on M, 2021, the City Council adopted Resolution No. 6503 to reaffirm the City Manager's declaration of the local emergency due to the COVID-19 pandemic and Resolution 6441. A true and correct copy of Resolution No. 6503 is attached hereto as Attachment "I" and incorporated herein by this reference; and

WHEREAS, Government Code Section 8630(c) states that a City Council "shall review the need for continuing the local emergency at least once every 60 days until the governing body terminates the local emergency"; and

WHEREAS, the numbers of confirmed cases of COVID-19 and deaths in the City of Gardena and Los Angeles County continues to increase; and

WHEREAS, conditions of extreme peril to the safety of persons and property continue due to COVID-19 in the City of Gardena and Los Angeles County; and

WHEREAS, it is imperative to prepare for and respond to suspected or confirmed COVID-19 cases, to take measures to mitigate the spread of COVID-19; and

WHEREAS, if COVID-19 spreads at a rate comparable to the rate of spread in other locations, the number of persons requiring medical care may exceed locally available resources, and controlling outbreaks minimizes the risk to the public, maintains the health and safety of the community, and limits the spread of infection in the community and within the healthcare delivery system; and

WHEREAS, the reasons for declaring the local emergency still exist;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, DOES HEREBY FIND, DETERMINE, AND RESOLVE, AS FOLLOWS:

SECTION 1. The City Council reaffirms all portions of Resolution 6441, including all findings stated therein.

SECTION 2. The City Council reaffirms the ongoing need for the local emergency initially declared on by the City Manager's Proclamation of Local Emergency dated March 16, 2020 and orders contained therein and subsequently ratified by the City Council via Resolution 6441 on March 19, 2020 and reaffirmed by Resolution No. 6454 on May 12, 2020, Resolution No 6469 on July 14, 2020, Resolution No. 6478 on September 8, 2020, Resolution No. 6483 on October 27, 2020, Resolution No. 6489 on December 15, 2020, Resolution No. 6495 on February 9, 2021 and Resolution No. 6503 on March 23, 2021.

SECTION 3. This local emergency shall continue to exist until the City Council proclaims the termination of this local emergency.

BE IT FURTHER RESOLVED that the City Clerk shall certify to the passage and adoption of this Resolution; shall cause the same to be entered among the original Resolutions of said City; and shall make a minute of the passage and adoption thereof in the records of the proceedings of the City Council of said City in the minutes of the meeting at which the same is passed and adopted.

Passed, approved, and adopted this 11th day of May, 2021.

Tasha Cerda
TASHA CERDA, Mayor

ATTEST:

Becky Romero
for MINA SEMENZA, City Clerk

APPROVED AS TO FORM:

CARMEN VASQUEZ, City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF GARDENA)

I, MINA SEMENZA, City Clerk of the City of Gardena, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Resolution, being **Resolution No. 6512** duly passed and adopted by the City Council of said City of Gardena, approved and signed by the Mayor of said City, and attested by the City Clerk, all at a regular meeting of said City Council held on the **11th day of May, 2021,** and that the same was so passed and adopted by the following roll call vote:

AYES: COUNCIL MEMBERS HENDERSON, KASKANIAN, MAYOR PRO TEM TANAKA AND COUNCIL MEMBER FRANCIS, AND MAYOR CERDA

NOES: NONE

ABSENT: NONE

Becky Romero
for City Clerk of the City of Gardena, California

(SEAL)

ATTACHMENT K

RESOLUTION NO. 6521

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, REAFFIRMING PROCLAMATION AND RESOLUTION 6441 WHICH DECLARED THE EXISTENCE OF A LOCAL EMERGENCY

THE CITY COUNCIL OF THE CITY OF GARDENA DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, on March 16, 2020, the City Manager, as the City's Director of Emergency Services, due to the COVID-19 pandemic declared a local emergency as authorized by Government Code section 8630 and Gardena Municipal Code section 2.52.060. A true and correct copy of the Proclamation is attached hereto as Attachment "A" and incorporated herein by this reference; and

WHEREAS, on March 19, 2020, the City Council adopted Resolution 6441 to thereby ratify the City Manager's declaration of the local emergency due to the COVID-19 pandemic) A true and correct copy of Resolution 6441 is attached hereto as Attachment "B" and incorporated herein by this reference; and

WHEREAS, on May 12, 2020, the City Council adopted Resolution No. 6454 to reaffirm the City Manager's declaration of the local emergency due to the COVID-19 pandemic and Resolution 6441. A true and correct copy of Resolution No. 6454 is attached hereto as Attachment "C" and incorporated herein by this reference; and

WHEREAS, on July 14, 2020, the City Council adopted Resolution No. 6469 to reaffirm the City Manager's declaration of the local emergency due to the COVID-19 pandemic and Resolution 6441. A true and correct copy of Resolution No. 6469 is attached hereto as Attachment "D" and incorporated herein by this reference; and

WHEREAS, on September 8, 2020, the City Council adopted Resolution No. 6478 to reaffirm the City Manager's declaration of the local emergency due to the COVID-19 pandemic and Resolution 6441. A true and correct copy of Resolution No. 6478 is attached hereto as Attachment "E" and incorporated herein by this reference; and

WHEREAS, on October 27, 2020, the City Council adopted Resolution No. 6483 to reaffirm the City Manager's declaration of the local emergency due to the COVID-19 pandemic and Resolution 6441. A true and correct copy of Resolution No. 6483 is attached hereto as Attachment "F" and incorporated herein by this reference; and

WHEREAS, on December 15, 2020, the City Council adopted Resolution No. 6489 to reaffirm the City Manager's declaration of the local emergency due to the COVID-19 pandemic and Resolution 6441. A true and correct copy of Resolution No. 6489 is attached hereto as Attachment "G" and incorporated herein by this reference; and

WHEREAS, on February 9, 2021, the City Council adopted Resolution No. 6495 to reaffirm the City Manager's declaration of the local emergency due to the COVID-19 pandemic and Resolution 6441. A true and correct copy of Resolution No. 6495 is attached hereto as Attachment "H" and incorporated herein by this reference; and

WHEREAS, on March 23, 2021, the City Council adopted Resolution No. 6503 to reaffirm the City Manager's declaration of the local emergency due to the COVID-19 pandemic and Resolution 6441. A true and correct copy of Resolution No. 6503 is attached hereto as Attachment "I" and incorporated herein by this reference; and

WHEREAS, on May 11, 2021, the City Council adopted Resolution No. 6512 to reaffirm the City Manager's declaration of the local emergency due to the COVID-19 pandemic and Resolution 6441. A true and correct copy of Resolution No. 6512 is attached hereto as Attachment "J" and incorporated herein by this reference; and

WHEREAS, Government Code Section 8630(c) states that a City Council "shall review the need for continuing the local emergency at least once every 60 days until the governing body terminates the local emergency"; and

WHEREAS, the numbers of confirmed cases of COVID-19 and deaths in the City of Gardena and Los Angeles County continues; and

WHEREAS, conditions of extreme peril to the safety of persons and property continue due to COVID-19 in the City of Gardena and Los Angeles County; and

WHEREAS, it is imperative to prepare for and respond to suspected or confirmed COVID-19 cases, to take measures to mitigate the spread of COVID-19; and

WHEREAS, if COVID-19 spreads at a rate comparable to the rate of spread in other locations, the number of persons requiring medical care may exceed locally available resources, and controlling outbreaks minimizes the risk to the public, maintains the health and safety of the community, and limits the spread of infection in the community and within the healthcare delivery system; and

WHEREAS, the reasons for declaring the local emergency still exist;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, DOES HEREBY FIND, DETERMINE, AND RESOLVE, AS FOLLOWS:

SECTION 1. The City Council reaffirms all portions of Resolution 6441, including all findings stated therein.

SECTION 2. The City Council reaffirms the ongoing need for the local emergency initially declared on by the City Manager's Proclamation of Local Emergency dated March 16, 2020 and orders contained therein and subsequently ratified by the City Council via Resolution 6441 on March 19, 2020 and reaffirmed by Resolution No. 6454 on May 12, 2020, Resolution No 6469 on July 14, 2020, Resolution No. 6478 on September 8, 2020, Resolution No. 6483 on October 27, 2020, Resolution No. 6489 on December 15, 2020, Resolution No. 6495 on February 9, 2021, Resolution No. 6503 on March 23, 2021 and Resolution No. 6512 on May 11, 2021.

SECTION 3. This local emergency shall continue to exist until the City Council proclaims the termination of this local emergency.

BE IT FURTHER RESOLVED that the City Clerk shall certify to the passage and adoption of this Resolution; shall cause the same to be entered among the original Resolutions of said City; and shall make a minute of the passage and adoption thereof in the records of the proceedings of the City Council of said City in the minutes of the meeting at which the same is passed and adopted.

Passed, approved, and adopted this 22 day of June, 2021.

TASHA CERDA, Mayor

ATTEST:

MINA SEMENZA, City Clerk

APPROVED AS TO FORM:

CARMEN VASQUEZ, City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF GARDENA)

I, MINA SEMENZA, City Clerk of the City of Gardena, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Resolution, being **Resolution No. 6521** duly passed and adopted by the City Council of said City of Gardena, approved and signed by the Mayor of said City, and attested by the City Clerk, all at a regular meeting of said City Council held on the **22nd day of June, 2021,** and that the same was so passed and adopted by the following roll call vote:

AYES: COUNCIL MEMBER HENDERSON, MAYOR PRO TEM TANAKA, COUNCIL MEMBERS KASKANIAN, FRANCIS AND MAYOR CERDA

NOES: NONE

ABSENT: NONE

City Clerk of the City of Gardena, California

(SEAL)

ATTACHMENT L

RESOLUTION NO. 6526

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, REAFFIRMING PROCLAMATION AND RESOLUTION 6441 WHICH DECLARED THE EXISTENCE OF A LOCAL EMERGENCY

THE CITY COUNCIL OF THE CITY OF GARDENA DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, on March 16, 2020, the City Manager, as the City's Director of Emergency Services, due to the COVID-19 pandemic declared a local emergency as authorized by Government Code section 8630 and Gardena Municipal Code section 2.52.060. A true and correct copy of the Proclamation is attached hereto as Attachment "A" and incorporated herein by this reference; and

WHEREAS, on March 19, 2020, the City Council adopted Resolution 6441 to thereby ratify the City Manager's declaration of the local emergency due to the COVID-19 pandemic) A true and correct copy of Resolution 6441 is attached hereto as Attachment "B" and incorporated herein by this reference; and

WHEREAS, on May 12, 2020, the City Council adopted Resolution No. 6454 to reaffirm the City Manager's declaration of the local emergency due to the COVID-19 pandemic and Resolution 6441. A true and correct copy of Resolution No. 6454 is attached hereto as Attachment "C" and incorporated herein by this reference; and

WHEREAS, on July 14, 2020, the City Council adopted Resolution No. 6469 to reaffirm the City Manager's declaration of the local emergency due to the COVID-19 pandemic and Resolution 6441. A true and correct copy of Resolution No. 6469 is attached hereto as Attachment "D" and incorporated herein by this reference; and

WHEREAS, on September 8, 2020, the City Council adopted Resolution No. 6478 to reaffirm the City Manager's declaration of the local emergency due to the COVID-19 pandemic and Resolution 6441. A true and correct copy of Resolution No. 6478 is attached hereto as Attachment "E" and incorporated herein by this reference; and

WHEREAS, on October 27, 2020, the City Council adopted Resolution No. 6483 to reaffirm the City Manager's declaration of the local emergency due to the COVID-19 pandemic and Resolution 6441. A true and correct copy of Resolution No. 6483 is attached hereto as Attachment "F" and incorporated herein by this reference; and

WHEREAS, on December 15, 2020, the City Council adopted Resolution No. 6489 to reaffirm the City Manager's declaration of the local emergency due to the COVID-19 pandemic and Resolution 6441. A true and correct copy of Resolution No. 6489 is attached hereto as Attachment "G" and incorporated herein by this reference; and

WHEREAS, on February 9, 2021, the City Council adopted Resolution No. 6495 to reaffirm the City Manager's declaration of the local emergency due to the COVID-19 pandemic and Resolution 6441. A true and correct copy of Resolution No. 6495 is attached hereto as Attachment "H" and incorporated herein by this reference; and

WHEREAS, on March 23, 2021, the City Council adopted Resolution No. 6503 to reaffirm the City Manager's declaration of the local emergency due to the COVID-19 pandemic and Resolution 6441. A true and correct copy of Resolution No. 6503 is attached hereto as Attachment "I" and incorporated herein by this reference; and

WHEREAS, on May 11, 2021, the City Council adopted Resolution No. 6512 to reaffirm the City Manager's declaration of the local emergency due to the COVID-19 pandemic and Resolution 6441. A true and correct copy of Resolution No. 6512 is attached hereto as Attachment "J" and incorporated herein by this reference; and

WHEREAS, on June 22, 2021, the City Council adopted Resolution No. 6521 to reaffirm the City Manager's declaration of the local emergency due to the COVID-19 pandemic and Resolution 6441. A true and correct copy of Resolution No. 6521 is attached hereto as Attachment "K" and incorporated herein by this reference; and

WHEREAS, Government Code Section 8630(c) states that a City Council "shall review the need for continuing the local emergency at least once every 60 days until the governing body terminates the local emergency"; and

WHEREAS, the numbers of confirmed cases of COVID-19 and deaths in the City of Gardena and Los Angeles County continues; and

WHEREAS, conditions of extreme peril to the safety of persons and property continue due to COVID-19 in the City of Gardena and Los Angeles County; and

WHEREAS, it is imperative to prepare for and respond to suspected or confirmed COVID-19 cases, to take measures to mitigate the spread of COVID-19; and

WHEREAS, if COVID-19 spreads at a rate comparable to the rate of spread in other locations, the number of persons requiring medical care may exceed locally available resources, and controlling outbreaks minimizes the risk to the public, maintains the health and safety of the community, and limits the spread of infection in the community and within the healthcare delivery system; and

WHEREAS, the reasons for declaring the local emergency still exist;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, DOES HEREBY FIND, DETERMINE, AND RESOLVE, AS FOLLOWS:

SECTION 1. The City Council reaffirms all portions of Resolution 6441, including all findings stated therein.

SECTION 2. The City Council reaffirms the ongoing need for the local emergency initially declared on by the City Manager's Proclamation of Local Emergency dated March 16, 2020 and orders contained therein and subsequently ratified by the City Council via Resolution 6441 on March 19, 2020 and reaffirmed by Resolution No. 6454 on May 12, 2020, Resolution No 6469 on July 14, 2020, Resolution No. 6478 on September 8, 2020, Resolution No. 6483 on October 27, 2020, Resolution No. 6489 on December 15, 2020, Resolution No. 6495 on February 9, 2021, Resolution No. 6503 on March 23, 2021, Resolution No. 6512 on May 11, 2021 and Resolution No. 6521 on June 22, 2021.

SECTION 3. This local emergency shall continue to exist until the City Council proclaims the termination of this local emergency.

BE IT FURTHER RESOLVED that the City Clerk shall certify to the passage and adoption of this Resolution; shall cause the same to be entered among the original Resolutions of said City; and shall make a minute of the passage and adoption thereof in the records of the proceedings of the City Council of said City in the minutes of the meeting at which the same is passed and adopted.

Passed, approved, and adopted this 10th day of August, 2021.

Tasha Cerda
TASHA CERDA, Mayor

ATTEST:

Becky Romero
for MINA SEMENZA, City Clerk

APPROVED AS TO FORM:

CARMEN VASQUEZ, City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF GARDENA)

I, MINA SEMENZA, City Clerk of the City of Gardena, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Resolution, being **Resolution No. 6526** duly passed and adopted by the City Council of said City of Gardena, approved and signed by the Mayor of said City, and attested by the City Clerk, all at a regular meeting of said City Council held on the **10th day of August, 2021,** and that the same was so passed and adopted by the following roll call vote:

AYES: COUNCIL MEMBERS FRANCIS AND KASKANIAN, MAYOR PRO TEM TANAKA, COUNCIL MEMBER HENDERSON, AND MAYOR CERDA

NOES: NONE

ABSENT: NONE

Becky Romero
for City Clerk of the City of Gardena, California

(SEAL)

RESOLUTION NO. 6535

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, MAKING THE LEGALLY REQUIRED FINDINGS TO RE-AUTHORIZE THE USE OF TELECONFERENCING IN ACCORDANCE WITH ASSEMBLY BILL 361 FOR MEETINGS OF THE GARDENA CITY COUNCIL AND OTHER COMMISSIONS, COMMITTEES AND BOARDS SUBJECT TO STATE OPEN MEETING LAWS

THE CITY COUNCIL OF THE CITY OF GARDENA DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, international, national, state, and local health and governmental authorities are responding to an outbreak of respiratory disease caused by a novel coronavirus named "SARS-CoV-2," and the disease it causes has been named "coronavirus disease 2019," abbreviated COVID-19, ("COVID-19"); and

WHEREAS, on March 4, 2020, the Governor of the State of California, Gavin Newsom declared a State of Emergency in California to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the State prepare for broader spread of COVID-19; and

WHEREAS, on March 4, 2020, the Los Angeles County Board of Supervisors and Department of Public Health declared a local emergency and local public health emergency to aid the regional healthcare and governmental community in responding to COVID-19; and

WHEREAS, on March 13, 2020, the President of the United States declared a National Emergency due to the continue spread and the effects of COVID-19; and

WHEREAS, on March 16, 2020, the City Manager, as the City's Director of Emergency Services, did proclaim the existence of a local emergency as authorized by Government Code section 8630 and Gardena Municipal Code Chapter 2.56.060; and

WHEREAS, the Governor's March 4, 2021, declaration of a state of emergency based on the COVID-19 pandemic remains in place; and

WHEREAS, the Proclamation of Existence of a Local Emergency issued by the City Manager, as the City's Director of Emergency Services on March 16, 2020, has been ratified by the City Council via Resolution 6441 on March 19, 2020 and reaffirmed by Resolution No. 6454 on May 12, 2020, Resolution No 6469 on July 14, 2020, Resolution No. 6478 on September 8, 2020, Resolution No. 6483 on October 27, 2020, Resolution

No. 6489 on December 15, 2020, Resolution No. 6495 on February 9, 2021, Resolution No. 6503 on March 23, 2021, Resolution No. 6512 on May 11, 2021, Resolution No. 6521 on June 22, 2021, and Resolution No. 6526 on August 10, 2021, with the result that the proclamation of a local emergency based on the COVID-19 pandemic remains in place; and

WHEREAS, Paragraph 3 of Executive Order N-29-20, issued by the Governor on March 17, 2020, among other things, suspended the Brown Act requirements for teleconferencing, provided that notice and accessibility requirements were met, the public was allowed to observe and address the legislative body at the meeting, and the legislative body had a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, specifying that this suspension would remain in place during the period in which state or local public health officials have imposed or recommended social distancing measures; and

WHEREAS, paragraph 42 of Executive Order N-08-21, issued by the Governor on June 11, 2021, withdrew, and replaced paragraph 3 of Executive Order N-29-20's suspension of the Brown Act requirements for teleconferencing with a similar suspension of those requirements that it specified would remain in place only through September 30, 2021; and

WHEREAS, on September 16, 2021, the Governor signed into law Assembly Bill No. 361 ("AB 361"), which, until January 1, 2024, authorizes a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the Brown Act when a legislative body of a local agency holds a meeting during a declared state of emergency, as that term is defined, when state or local health officials have imposed or recommended measures to promote social distancing or when the legislative body has determined that meeting in person would present imminent risks to the health or safety of attendees; and

WHEREAS, AB 361 requires legislative bodies that hold teleconferenced meetings under its abbreviated teleconferencing procedures to give notice of the meeting and post agendas, as described, to allow members of the public to access the meeting and address the legislative body, to give notice of the means by which members of the public may access the meeting and offer public comment, including an opportunity for all persons to

attend via a call-in option or an internet-based service option, and to conduct the meeting in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body; and

WHEREAS, AB 361 requires the legislative body to take no further action on agenda items when there is a disruption which prevents the public agency from broadcasting the meeting, or in the event of a disruption within the local agency's control which prevents members of the public from offering public comments, until public access is restored; and

WHEREAS, AB 361 prohibits the legislative body from requiring public comments to be submitted in advance of the meeting and specifies that the legislative body must provide an opportunity for the public to address the legislative body and offer comment in real time; and

WHEREAS, AB 361 prohibits the legislative body from closing the public comment period and the opportunity to register to provide public comment, until the public comment period has elapsed or until a reasonable amount of time has elapsed, as specified; and

WHEREAS, when there is a continuing state of emergency, or when state or local officials have imposed or recommended measures to promote social distancing, AB 361 requires a legislative body to make specified findings not later than 30 days after the first teleconferenced meeting pursuant to these provisions, and to make those findings every 30 days thereafter, in order to continue to meet under AB 361's abbreviated teleconferencing procedures; and

WHEREAS, on October 12, 2021, the City Council adopted Resolution Number 6534, which made the findings required by AB 361 to allow the City Council and all City Commissions, Committees and Boards to continue to meet under AB 361's abbreviated teleconferencing procedures, and authorized the City Council and all City Commissions, Committees and Boards to conduct meetings under AB 361's abbreviated teleconferencing procedures, without complying with the requirements set forth in Government Code Section 54953(b)(3), subject to compliance with the requirements set forth in Government Code Section 54953(e)(2); and

WHEREAS, in light of the continuing State and local declarations of emergency resulting from the COVID-19 pandemic, the continuing recommendation by Los Angeles County Public Health officials of measures to promote social distancing, and the imminent risks to the health of safety of attendees at meetings conducted in person, the City Council desires to again make the findings required by AB 361 to allow the City Council and all City Commissions, Committees and Boards to continue to meet under AB 361's abbreviated teleconferencing procedures.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, DOES HEREBY FIND, DETERMINE, AND RESOLVE, AS FOLLOWS:

SECTION 1. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

SECTION 2. The City Council finds that the State and local declarations of emergency resulting from the COVID-19 pandemic remain in place, and that the state of emergency continues to directly impact the ability to meet safely in person.

SECTION 3. The City Council finds that local officials, namely, the Los Angeles County Department of Public Health, has continued to recommend measures to promote social distancing.

SECTION 4. As a result of the findings in Sections 1 through 3 above, the City Council and all City Commissions, Committees and Boards are authorized to conduct meetings under AB 361's abbreviated teleconferencing procedures, without complying with the requirements set forth in Government Code Section 54953(b)(3), subject to compliance with the requirements set forth in Government Code Section 54953(e)(2).

SECTION 5. If any section, subsection, sentence, clause, or phrase of this Resolution is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution. The City Council hereby declares that it would have passed this Resolution and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of this Resolution would be subsequently declared invalid or unconstitutional.

BE IT FURTHER RESOLVED that the City Clerk shall certify to the passage and adoption of this Resolution; shall cause the same to be entered among the original Resolutions of said City; and shall make a minute of the passage and adoption thereof in the records of the proceedings of the City Council of said City in the minutes of the meeting at which the same is passed and adopted.

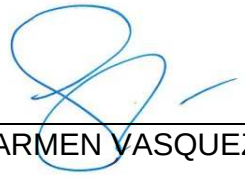
Passed, approved, and adopted this_____day of October, 2021.

_____
TASHA CERDA, Mayor

ATTEST:

_____
MINA SEMENZA, City Clerk

APPROVED AS TO FORM:



_____
CARMEN VASQUEZ, City Attorney

ELDERLY NUTRITION PROGRAM (ENP)
SUBAWARD NUMBER ENP202105
SUBAWARD PERIOD JULY 2020 – JUNE 2022

AMENDMENT SEVEN

This Amendment is made and entered into by and between

COUNTY OF LOS ANGELES THROUGH ITS DEPARTMENT OF WORKFORCE DEVELOPMENT, AGING AND COMMUNITY SERVICES
("County" or "WDACS")

County's Business Address
510 South Vermont Avenue, 11th Floor
Los Angeles, CA 90020

and

CITY OF GARDENA
("Contractor" or "Subrecipient")

Subrecipient's Business Address
1700 West 162nd Street
Gardena, CA 90247

WHEREAS, reference is made to that certain document entitled "Elderly Nutrition Program (ENP) Subaward Number ENP202105 Subaward Period July 2020 – June 2022" dated July 1, 2020, and the Amendments thereto (hereafter collectively referred to as "Contract" or "Subaward"); and

WHEREAS, the parties hereto have previously entered into the above referenced Subaward for the purpose of providing Elderly Nutrition Program (ENP) Services, which include serving congregate meals and home-delivered meals as well as conducting telephone reassurance to the older adult population in Los Angeles County (excluding the City of Los Angeles); and

WHEREAS, County and Subrecipient recognize and agree that specific terms (including, but not limited to, Contract, Subaward, Contractor, Subrecipient, Subcontract, Lower Tier Subaward, Subcontractor and Lower Tier Subrecipient) are used interchangeably throughout this Amendment in order to comply with federal, State, and County regulations; and

WHEREAS, it is the intent of the parties to amend this Subaward to extend the use of Families First Coronavirus Response Act (FFCRA) funds to December 31, 2021; and

WHEREAS, it is the intent of the parties to also amend this Subaward to extend the use of California Department of Aging (CDA) Coronavirus Aid, Relief, and Economic Security (CARES) Act funds to June 30, 2022; and

WHEREAS, it is the intent of the parties to amend this Subaward to provide for the other changes set forth herein; and

WHEREAS, the Subaward provides that changes to its terms may be made in the form of a written Amendment, which is formally approved and executed by the parties.

NOW THEREFORE, THE PARTIES HERETO AGREE AS FOLLOWS:

I. This Amendment shall commence **upon execution by all parties.**

II. Subparagraph 5.1.4 is deleted in its entirety and replaced as follows:

5.1.4 **Subaward Sum Year 2 Funding Source(s)**

5.1.4.1 The Subaward Sum Year 2 for this Subaward is comprised of monies which are identified by the funding source(s) or governing statute(s) listed below. The funding source(s) and governing statute(s) authorize County to use these monies to provide Program Services.

5.1.4.2 Older Americans Act (OAA) Title III B (Supportive Services and Senior Centers) original baseline funds

5.1.4.2.1 Subaward Sum: **$1,000**

5.1.4.2.2 Service Area: Supervisorial District 2

5.1.4.2.3 Period of Performance: July 1, 2021 – June 30, 2022 (consistent with California Department of Aging contract number AP-2122-19)

5.1.4.2.4 Allocation Letter: Fiscal Year 2021-22 Baseline Funding Allocation for Elderly Nutrition Program Services

5.1.4.3 OAA Title III C-1 (Nutrition Services) original baseline funds

5.1.4.3.1 Subaward Sum: **$223,000**

5.1.4.3.2 Service Area: Supervisorial District 2

5.1.4.3.3 Period of Performance: July 1, 2021 – June 30, 2022 (consistent with California Department of Aging contract number AP-2122-19)

5.1.4.3.4 Allocation Letter: Fiscal Year 2021-22 Baseline Funding Allocation for Elderly Nutrition Program Services

5.1.4.4 OAA Title III C-2 (Nutrition Services) original baseline funds

5.1.4.4.1 Subaward Sum: **$197,000**

5.1.4.4.2 Service Area: Supervisorial District 2

5.1.4.4.3 Period of Performance: July 1, 2021 – June 30, 2022 (consistent with California Department of Aging contract number AP-2122-19)

5.1.4.4.4 Allocation Letter: Fiscal Year 2021-22 Baseline Funding Allocation for Elderly Nutrition Program Services

5.1.4.5 FFCRA Funds for ENP Home-Delivered Meal Services

5.1.4.5.1 Subaward Sum: **$6,546**

5.1.4.5.1.1 Subrecipient shall expend these funds before CDA CARES Act and OAA Title III C-2 (Nutrition Services) for ENP Home-Delivered Meal Services funding

5.1.4.5.2 Service Area: Supervisorial District 2

5.1.4.5.3 Period of Performance: July 1, 2021 – June 30, 2022 (consistent with California Department of Aging Notice on California Major Disaster Declaration Approved – Area Plan (AP-1920) Contract Program Spending Flexibility)

5.1.4.5.4 Allocation Letter: Fiscal Year 2020-21 Funding Reallocation for Elderly Nutrition Program Services

5.1.4.6 CDA CARES Act Funds for ENP Congregate Meal Services

5.1.4.6.1 Subaward Sum: **$23,869**

5.1.4.6.1.1 Subrecipient shall expend these funds before utilizing OAA Title III C-1 (Nutrition Services) funds for ENP Congregate Meal Services

5.1.4.6.2 Service Area: Supervisorial District 2

5.1.4.6.3 Period of Performance: July 1, 2021 – June 30, 2022 (consistent with CDA Program memo No. 20-13 (Corrected) issued on July 16, 2020)

5.1.4.6.4 Allocation Letter: Fiscal Year 2020-21 Funding Reallocation for Elderly Nutrition Program Services

5.1.4.7 CDA CARES Act Funds for ENP Home-Delivered Meal Services

5.1.4.7.1 Subaward Sum: **$43,000**

5.1.4.7.1.1 Subrecipient shall expend these funds only after exhausting all FFCRA funds and before utilizing OAA Title III C-2 (Nutrition Services) funds for ENP Home-Delivered Meal Services

5.1.4.7.2 Service Area: Supervisorial District 2

5.1.4.7.3 Period of Performance: July 1, 2021 – June 30, 2022 (consistent with CDA Program memo No. 20-13 (Corrected) issued on July 16, 2020)

5.1.4.7.4 Allocation Letter: Fiscal Year 2020-21 Funding Reallocation for Elderly Nutrition Program Services

III. Subparagraph 5.10.4 is deleted in its entirety and replaced as follows:

5.10.4 **Federal Award Identification Number (FAIN)**

5.10.4.1 July 1, 2020 – June 30, 2021: 2001CAOASS-00; 2001CAOACM-00; 2001CAOAHD-00; 2001CAOANS-00; 2001CACMC2-00; 2001CAHDC2-00; 2001CAHDC3-00; SLT0198; 2001CASSC3-00; and, 2001CAFCC3-00

5.10.4.2 July 1, 2021 – June 30, 2022: 2101CAOASS-01; 2101CAOACM-01; 2101CAOAHD-01; 2101CAOANS-01; 2001CAHDC3-00; 2001CASSC3-00; and, 2001CAFCC3-00

IV. Subparagraph 5.10.7 is deleted in its entirety and replaced as follows:

5.10.7 **Amount of Federal Funds Obligated by this Action**:

5.10.7.1 Original Subaward: $407,000

5.10.7.2 Amendment One: $417,000

5.10.7.2.1 Federal CARES Act Funds: $292,000

5.10.7.2.2 CDA CARES Act Funds: $125,000

5.10.7.3 Amendment Two: $5,000

5.10.7.4 Amendment Three: $33,000

5.10.7.5 Amendment Four: $123,680

5.10.7.5.1 Additional CDA CARES Act Funds: $105,000

5.10.7.5.2 FY 2019-20 FFCRA Carryover Funds: $18,680

5.10.7.6 Amendment Five: $421,000

5.10.7.7 Amendment Six: $73,415

5.10.7.7.1 FY 2020-21 FFCRA Reallocation Funds: $6,546

5.10.7.7.2 FY 2020-21 CDA CARES Act Reallocation Funds: $66,869

5.10.7.8 Amendment Seven: $0

V. Subparagraph 5.10.10 is deleted in its entirety and replaced as follows:

5.10.10 **Federal Award Project Description**

5.10.10.1 July 1, 2020 - June 30, 2021: Federal Title IIIB 3BSL; Federal Title IIIC1 3C1L and NSIP C1 NC1L; Federal Title IIIC2 3C2L and NSIP C2 NC2L; Federal Title IIIC1 CRCM and Federal Title IIIC2 CRHD; CARES Title IIIC2 HDC3; and, Federal Title IIIE 3EFL

5.10.10.2 July 1, 2021 – June 30, 2022: Federal Title IIIB 3BSL; Federal Title IIIC1 3C1L and NSIP C1 NC1L; Federal Title IIIC2 3C2L and NSIP C2 NC2L; CARES Title IIIC2 HDC3; and, Federal Title IIIE 3EFL

VI. Subparagraph 5.10.12 is deleted in its entirety and replaced as follows:

5.10.12 **Assistance Listings Numbers and Titles:** 93.044 - Special Programs for the Aging, Title III, Part B (Grants for Supportive Services and Senior Centers); 93.045 - Special Programs for the Aging, Title III, Part C (Nutrition Services); 93.053 - Nutrition Services Incentive Program; 21.019 – Coronavirus Relief Fund; and, 93.052 – National Family Caregiver Support, Title III Part E.

All other terms and conditions of the Subaward shall remain in full force and effect.

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IN WITNESS WHEREOF, the Board of Supervisors of the County of Los Angeles has caused this **Amendment Seven** to be subscribed on its behalf by the Acting Director of Workforce Development, Aging and Community Services, and the Subrecipient has subscribed the same through its Authorized Representative. The Authorized Representative(s) signing on behalf of Subrecipient warrants under penalty of perjury that he or she is authorized to bind Subrecipient.

COUNTY OF LOS ANGELES

By _____ _____
Otto Solórzano, Acting Director — Date
County of Los Angeles
Workforce Development, Aging
and Community Services

SUBRECIPIENT

City of Gardena
Subrecipient's Legal Name

ENP202105
Subaward Number

By Clint Osorio — Oct 13, 2021
Name of Authorized Representative — Date

Clint Osorio
Title

Clint Osorio (Oct 13, 2021 13:44 PDT)
Signature

Approved as to Form:

OFFICE OF COUNTY COUNSEL
Rodrigo A. Castro-Silva, County Counsel

By _____
Lawrence M. Green
Senior Deputy County Counsel

By _____ _____
Name of Authorized Representative — Date

_____
Title

_____
Signature

FY 2021-22 ENP Amendment Seven (Gardena) (10-04-21)

Final Audit Report 2021-10-13

Created:	2021-10-13
By:	Irma Panosian (IPanosian@wdacs.lacounty.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAdwbmjZKIb31L47enQUyExmUTDX2Wh5M1

"FY 2021-22 ENP Amendment Seven (Gardena) (10-04-21)" History

Web Form created by Irma Panosian (IPanosian@wdacs.lacounty.gov)
2021-10-05 - 0:02:31 AM GMT

Web Form filled in by Clint Osorio (Cosorio@cityofgardena.org)
2021-10-13 - 8:44:16 PM GMT- IP address: 64.201.101.66

Document emailed to Clint Osorio (Cosorio@cityofgardena.org) for signature
2021-10-13 - 8:44:19 PM GMT

Email viewed by Clint Osorio (Cosorio@cityofgardena.org)
2021-10-13 - 8:44:39 PM GMT- IP address: 104.28.85.108

E-signature verified by Clint Osorio (Cosorio@cityofgardena.org)
2021-10-13 - 8:44:43 PM GMT- IP address: 64.201.101.66

Agreement completed.
2021-10-13 - 8:44:43 PM GMT

Adobe Sign

PLANNING AND ENVIRONMENTAL QUALITY COMMISSION

Regular PEQC Meeting Notice and Agenda

Website: www.cityofgardena.org

Tuesday, October 19, 2021 – 7:00 PM

1700 W. 162nd Street, Gardena, California

5. **PUBLIC HEARING ITEMS**

5.A **Environmental Assessment #10-21, Site Plan Review #8-21, Conditional Use Permit #3-21, Conditional Use Permit #4-06 (Revocation)**

The Planning Commission considered a development for a new soccer facility on a 1.49-acre site: SPR #8-21 to construct seven 50-foot by 98-foot soccer fields with netting, lighting, and other accessory structures; CUP #3-21 for the operation of a new soccer facility per Section 18.46.030.C.9 of the Gardena Municipal Code (GMC) and to permit parking that utilizes tandem and off-site parking per Section 18.40.080 of the GMC; revocation of CUP #4-06 for the operation of a demolition and hauling business; and direct staff to file a Notice of Exemption for a Class 32 exemption pursuant to CEQA Guidelines section 15332 for an in-fill development project.

PC Staff Report - Lab 5.docx
Attachment A - Resolution No. PC 13 -21.docx
Attachment A - Exhibit A - Conditions of Approval.docx Attachment A - Exhibit B - Development Plans.pdf
Attachment A - Exhibit C - CEQA Class 32 Categorical Exemption Report and Appendices.pdf
Attachment B - CC Resolution No. 4951 for CUP #4-06.pdf
Attachment C - Applicant's Correspondence 1.pdf
Attachment C - Applicant's Correspondence 2.pdf
Attachment C - Applicant's Correspondence 3.pdf
Attachment D - Lab Five Parking Study by Walker Consultants - 052821.pdf

Commission Action: The Planning Commission approved Resolution No. PC 13-21, approving Site Plan Review #8-21 and Conditional Use Permit #3-20 subject to the attached Conditions of Approval, revoking Conditional Use Permit #4-06, and directing staff to file a Notice of Exemption for a Class 32 in-fill development.

City of Gardena

Gardena City Council Meeting

AGENDA REPORT SUMMARY

Agenda Item No. 11.A
Section: DEPARTMENTAL ITEMS - ADMINISTRATIVE SERVICES
Meeting Date: October 26, 2021

TO: THE HONORABLE MAYOR AND MEMBERS OF THE GARDENA CITY COUNCIL

AGENDA TITLE: APPROVE THREE YEAR AGREEMENT FOR PURCHASE OF SOPHOS FIREWALL ENHANCEMENT

COUNCIL ACTION REQUIRED:
Staff Recommendation: Approve Three Year Agreement

RECOMMENDATION AND STAFF SUMMARY:

With the ever changing and increasing uses of technology by the City, staff respectfully recommends the purchase of the SOPHOS XGS 6500 Security Appliance/Xstream Protection as an enhancement to the City's existing firewall to safeguard sensitive information and prevent potential attacks on the City network.

This comprehensive next-generation firewall protection has been built to expose hidden risks, block both known and unknown threats, and automatically respond to incidents.

- Expose Hidden Risks
  - Superior visibility into unknown applications, risky activity, suspicious traffic, and advanced threats
  - Helps to regain control of the network and provide deeper insights
- Blocks Unknown Threats
  - Powerful next-gen protection technologies like deep learning and intrusion protection
  - Keeps organization secure from the latest hacks and attacks
- Automatically Responds to Incidents
  - Synchronized Security automatic threat response instantly identifies, and isolates compromised systems.
  - Prevents network breaches and lateral movement.

The following quotes were obtained by staff:

Vendor	Quote Received
Firewalls.com Inc.	$131,954.28
CPAC, Inc.	$154,958.58

Teracai	$162,095.75

Staff therefore recommends the purchase of the three year contract from Firewalls.com Inc. in the amount of $131,954.28 for a contract period beginning 11/01/2021 through 11/01/2024.

FINANCIAL IMPACT/COST:

Total cost over three year contract period is $131,954.28 with no impact to General Fund as detailed below :

Funding Source	Fiscal Year 2021-2022	Fiscal Year 2022-2023	Fiscal Year 2023-2024	Fiscal Year 2024-2025	Totals
GTrans	$18,670.88	$12,032.47	$12,032.47	$ 4,087.74	$46,823.57
Sewer	$ 777.62	$ 501.14	$ 501.14	$ 170.25	$ 1,950.15
AQMD	$13,154.18	$ 8,477.23	$ 8,477.23	$ 2,879.94	$32,988.57
Technology Fund	$20,015.40	$12,898.95	$12,898.95	$ 4,378.70	$50,192.00
Totals	**$52,618.07**	**$33,909.79**	**$33,909.79**	**$11,516.63**	**$131,954.28**

ATTACHMENTS:

QT_XGS 6500 Active _ Active (Hardware).pdf
QT_XGS 6500 Active _ Active (Software) (1).pdf
City of Gardena - SQ1163285.pdf
Quote Teracai Gardena.pdf

APPROVED:



_____

Clint Osorio, City Manager

Firewalls.com Inc.
9449 Priority Way West Drive, Suite 225, Indianapolis, IN 46240
www.Firewalls.com | Sales@firewalls.com
Tel: 866.403.5305 | Fax: 305.768.2820

QUOTE

Quote Number : 682065000122502651
Created: Oct 6, 2021 06:47 PM
Valid Until: Oct 31, 2021
Sales Person: Chris Terry
(317) 406-6350 | cterry@firewalls.com

Customer

City of Gardena
Kent Behrends
Civic Center Dr
Gardena, CA

City of Gardena
Kent Behrends

,

Ready to order? Place your order online, anytime! Click here

Product Code & Description	List Price	Qty.	Discount	Total
XG6ETCHUS Sophos XGS 6500 Security Appliance - US power cord	$ 23,995.00	2	$ 19,867.86	$ 28,122.14
XSBZTCHF2 Sophos 2 port 40GbE QSFP+ Flexi Port Module (for XGS 5500/6500 models only)	$ 1,595.00	2	$ 1,084.60	$ 2,105.40
			Sub Total	**$ 30,227.54**
			Tax	$ 0.00
			Adjustment	$ 0.00
			Grand Total	**$ 30,227.54**

Taxes May Apply

Special Pricing only valid while items are in stock

RETURN POLICY: All returns must meet all applicable criteria listed in our Return Policy found on the website. For approval please contact the sales representative listed on your invoice.

* All claims of shortage, damage or shipping error must be made within 3 days.
* All sales have a 30 day return period unless noted otherwise.
* No cash refunds.
* Non-defective items returned subject to a 15% restocking fee.
* Warranties are void if labels are removed or tampered with.
* Returns must include all original packaging and accessories.
* All software and license downloads are not returnable.
* All sales are final when software has been registered or activated.

Firewalls.com Inc.
9449 Priority Way West Drive, Suite 225, Indianapolis, IN 46240
www.Firewalls.com | Sales@firewalls.com
Tel: 866.403.5305 | Fax: 305.768.2820

QUOTE

Quote Number : 682065000107785363
Created: May 13, 2021 03:54 PM
Valid Until: Oct 30, 2021
Sales Person: Chris Terry
(317) 406-6350 | cterry@firewalls.com

Customer

City of Gardena
Kent Behrends
Civic Center Dr
Gardena, CA

City of Gardena
Kent Behrends

,

Ready to order? Place your order online, anytime! Click here

Product Code & Description	List Price	Qty.	Discount	Total
IG6E3CSUS Sophos XGS 6500 with Xstream Protection, 3-year (US power cord)	$ 77,654.00	2	$ 53,581.26	$ 101,726.74

Sub Total	**$ 101,726.74**
Tax	$ 0.00
Adjustment	$ 0.00
Grand Total	**$ 101,726.74**

Taxes May Apply

Special Pricing only valid while items are in stock

RETURN POLICY: All returns must meet all applicable criteria listed in our Return Policy found on the website. For approval please contact the sales representative listed on your invoice.

* All claims of shortage, damage or shipping error must be made within 3 days.
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* Returns must include all original packaging and accessories.
* All software and license downloads are not returnable.
* All sales are final when software has been registered or activated.

CPAC inc.
The Best of IT since 1994

4749 E. Wesley Drive
Anaheim, CA 92807
Ph: (800) 778-2722 Fax: (714) 692-6680

Sales Quotation

SQ - 1163285	Oct-15-2021

Bill To

CITY OF GARDENA
ACCOUNTS PAYABLE
PO BOX 47003
GARDENA CA 90247
UNITED STATES
Phone # (310)217-9520

Contact

CITY OF GARDENA
ALEX PINTO
GARDENA CA 90247
UNITED STATES
Phone # (310)217-9520

Ship To

CITY OF GARDENA
ALEX PINTO
1700 W. 162 ST. ROOM 104
GARDENA CA 90247
UNITED STATES
Phone # (310)217-6167

Account	Terms	Due Date	Rep	Ship Date
22338	NET 30 DAYS		ACE GARIN	

SQ	PO	Reference	Ship Via	Page 1 of 1
1163285		SOPHOS	FedEx Ground	Printed : Oct-15-2021 07:19:10

L	Item Code	Description	Ordered	Shipped	Price	UOM	Amount
1	XG6ETCHUS	SOPHOS XGS 6500 SECURITY APPLIANCE	2	0	$14,703.00	EA	$29,406.00
2	IG6E3CSUS	SOPHOS XGS 6500 SECURITY APPLAINCE WITH 3YR XSTREAM PROTECTION	2	0	$54,275.00	EA	$108,550.00
3	XSBZTCHF2	2PORT 40GBE QSFP+ FLEXI PORT CONTROLLER MODULE	2	0	$1,298.00	EA	$2,596.00
4		*** FREIGHT TO BE DETERMINED ***					

CHOOSE YOUR OWN PAYMENT OPTION WITH MONTHLY, QUARTERLY, OR YEARLY LEASE PAYMENTS (OAC).

NOTE: In the event a manufacturer changes the item price prior to shipping, the customer will be notified and can cancel or amend the order. No returns on Special Orders, Altered Items, Software, Custom-Builds, or Refurbished items, or Items noted as Non-Returnable. In most cases, new items with broken factory seal are not returnable. Approved returns subject to a min 20% re-stock fee + freight cost. For return policy details, please contact CPAC. All payments are due as stated on invoice. A late fee of 1.5% per month will be assessed on all past due balances. All cost of collection, including reasonable attorney's fees, shall be paid by buyer.

Name:_____
Title: _____
Signature:_____
Date: _____

Tax Details

CAST10.25 $14406.580

Payment Details

Taxable	$140,552.00
Tax	$14,406.58
Non Taxable	$0.00
Total	$154,958.58
Paid	$0.00
Pay Discount	$0.00
Balance	$154,958.58

TERACAI

Quote#	40092704	**Prepared By:**	Nate Spaulding
Expires:	11/20/2021		315-883-3567
			nate.spaulding@teracai.com

Requested By:	Ship To:	Bill To:
City of Gardena Nate Spaulding Fax:	Alex Pinto 1700 W 162nd Street Gardena, CA 90247 United States	Accounts Payable 1700 W 162nd Street Gardena, CA 90247 United States

QTY	Mfr Part No.	Description	Unit Price	Ext Price
2	SPECIAL_ORDER	SPECIAL ORDER PRODUCT - SEE DESCRIPTION BELOW XG6ETCHUS XGS 6500 Security Appliance - US power cord	$15,600.00	$31,200.00
2	SPECIAL_ORDER	SPECIAL ORDER PRODUCT - SEE DESCRIPTION BELOW IG6E3CSUS XGS 6500 WITH XSTREAM CTLR PROTECTION 3-YEAR US POWER CORD	$56,440.00	$112,880.00
2	SPECIAL_ORDER	SPECIAL ORDER PRODUCT - SEE DESCRIPTION BELOW XSBZTCHF2 2PORT 40GBE QSFP+ FLEXI PORT CTLR MOD FOR XGS 5500/6500 MODELS ONLY	$1,360.00	$2,720.00
			Subtotal	$146,800.00
	Payment Terms: 30 Days		Combined Subtotals	$146,800.00
			Freight	$225.62
			Tax	$15,070.13
			TOTAL PURCHASE PRICE (Purchase Order Must Be For This Amount)	$162,095.75

Shipping Information

Priority	GROUND	**Terms**	Prepaid & Add
Carrier	UPS	**FOB**	Origin/Shipping

Terms & Conditions

Shipping Information:

Billing Your Freight Carrier's Account: In order to accommodate your shipping preferences, TERACAI will make every effort to bill your freight carrier account directly. Sometimes however, we are unable to comply with this request due to limitations based on carrier availability, shipment weight, or other circumstances. When this occurs, TERACAI will ensure that the product is shipped to you in the most economical way possible, and will inform you of any associated costs subject to additional billing.

Prepaid & Add: All freight charges from Syracuse, NY are separately billed.

TERACAI
217 Lawrence Road East
P.O. Box 4715
Syracuse NY 13221-4715
www.teracai.com
www.cablexpress.com

North American Offices: 315.883.3500
North American Fax: 315.883.3510
International Offices: 011-315-883-3500
International Fax: 011-315-883-3510

Warranty Information:

New Equipment and Premise Wiring Product: TERACAI warrants that any item will be in compliance with the original manufacturer's warranty from the date of shipment.

Alteration, abuse or misuse voids all warranties. Some products have extended warranties available or may have warranties exceeding the standards listed.

Return Information:
All returns must be pre-approved, issued a Return Material Authorization # prior to returning, and shipped prepaid to TERACAI.

Returnable items may be subject to a restocking fee. Opened products, custom cables, bulk cable, connectors, tools, test equipment, configured products, special orders, discontinued items, and items held more than 30 days are not returnable.

Payment Information:
TERACAI standard terms are net 30 for customers with approved credit. An account can be established by submitting a completed credit application (available upon request). Instant credit will be extended for companies favorably rated by D&B. All purchase orders must be for the full purchase price plus taxes and freight as applicable. To expedite your order and keep order processing costs down, we request all orders under $50 be billed to your MasterCard, Visa, Discover, American Express or Diners Club.

Billing Information: TERACAI utilizes electronic invoicing practices, and will email all invoices to the "Bill To" contact referenced on the customer's purchase order.

Confidentiality Notice: This document, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender and destroy all copies of the original document.

All orders subject to Terms and Conditions located at http://www.teracai.com/teracaiterms, and if applicable, TERACAI's Master Service Agreement.

Exempt from sales tax? If so, please forward a copy of your company's sales tax exemption forms when placing your order, to avoid being charged sales tax.

Customer Signature for Quote 40092704	**Date**	**Purchase Order Number**

The person signing above is authorized to approve this purchase.
All amounts are in US Dollars.

All prices are subject to manufacturer price variations and this price quote may contain special pricing established for the customer's particular requirement. Please note that individual pricing for products in this bid may not be available for the price listed here.

TERACAI
217 Lawrence Road East
P.O. Box 4715
Syracuse NY 13221-4715
www.teracai.com
www.cablexpress.com

North American Offices: 315.883.3500
North American Fax: 315.883.3510
International Offices: 011-315-883-3500
International Fax: 011-315-883-3510

City of Gardena

Gardena City Council Meeting

AGENDA REPORT SUMMARY

Agenda Item No. 12.A
Section: DEPARTMENTAL ITEMS - COMMUNITY DEVELOPMENT
Meeting Date: October 26, 2021

TO: THE HONORABLE MAYOR AND MEMBERS OF THE GARDENA CITY COUNCIL

AGENDA TITLE: ORDINANCE NO. 1836: AN ORDINANCE ADDING A NEW CHAPTER 15.60 TO THE GARDENA MUNICIPAL CODE WHICH CHAPTER ADOPTS BY REFERENCE THE MODEL WATER EFFICIENT LANDSCAPE ORDINANCE

COUNCIL ACTION REQUIRED:

Staff Recommendation: Introduce Ordinance No. 1836

RECOMMENDATION AND STAFF SUMMARY:

Under existing state law, landscape projects with 500 square feet or more of new or modified landscape area are required to comply with the Model Water Efficient Landscape Ordinance (MWELO). Projects must design, install, and maintain efficient irrigation systems, utilize low water-use plantings, and set an annual water budget.

MWELO was established to promote water efficiency for landscape projects. About half of California's urban water use is attributed to landscape irrigation and through proper landscape design, installation and maintenance, substantial water savings are achieved.

MWELO was last updated in 2015 to increase water efficiency standards for new and retrofitted landscapes through encouraging the use of more efficient irrigation systems, graywater usage, and onsite storm water capture, and by limiting the portion of landscapes that can be covered in turf.

All agencies must adopt, implement, and enforce the MWELO or a more stringent ordinance. While the City of Gardena has not previously adopted the MWELO, by virtue of Government Code Section 65595(d), it is already in effect and, since 2015, has been implemented by the City. In addition, Proposed Ordinance No 1836 also includes SB 1383 reporting requirements.

FINANCIAL IMPACT/COST:

Because the model ordinance is already in effect in the City, no additional costs will be incurred by adoption of this ordinance.

ATTACHMENTS:

Ordinance 1836.pdf
Model Water Efficiency Landscaping Ordinance.pdf

APPROVED:



_____

Clint Osorio, City Manager

ORDINANCE NO. 1836

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, ADDING A NEW CHAPTER 15.60 TO THE GARDENA MUNICIPAL CODE WHICH CHAPTER ADOPTS BY REFERENCE THE MODEL WATER EFFICIENT LANDSCAPE ORDINANCE

WHEREAS, Government Code Section 65595 requires each California city to adopt the Model Water Efficient Landscape Ordinance or to adopt a water efficient landscape ordinance that is at least as effective in conserving water as the model ordinance;

WHEREAS, the current version of the Model Water Efficient Landscape Ordinance updated through 2015 is contained in 23 California Code of Regulations Sections 490 through 495 inclusive, and

WHEREAS, the City Council of the City of Gardena has determined that it would like to adopt the current version of the Model Water Efficient Landscape Ordinance.

WHEREAS, The City Council additionally wishes to incorporate CalRecycle's reporting requirements for landscape projects in the Municipal Code.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, DOES HEREBY ORDAIN, AS FOLLOWS:

SECTION 1. Chapter 15.60 is hereby adopted and added to the Gardena Municipal Code to read, as follows:

Chapter 15.60
Adoption of the California Model Water Efficient Landscape Ordinance

15.60.010. Adoption of the California Model Water Efficient Landscape Ordinance.

The 2015 version of the Model Water Efficient Landscape Ordinance contained in 23 California Code of Regulations Sections 490 through 495 inclusive is hereby adopted by reference in its entirety:

15.60.020. Reporting to CalRecycle.

The building official or his or her designee shall report the number of landscape projects subject to the minimum application of compost and mulch as set forth in Sections 492.6 (a)(3)(B)(C), (D) and (G) of 23 California Code of Regulations (CCR), Division 2, Chapter 2.7 in compliance with 14 CCR Section 18994.2. Reports are due October 1, 2022 for the period of January 1, 2022 through June 30, 2022, and on or before August 1, 2023, and on or before August 1st each year thereafter.

SECTION 2. Penalties.

Persons who shall violate a provision of the Model Water Efficient Landscape Ordinance adopted by reference in the Gardena Municipal Code, or shall fail to comply with any of the requirements thereof, shall be guilty of a misdemeanor unless such violation is declared to be an infraction, punishable by a fine of not more than $1,000 or by imprisonment not exceeding six months, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense. For the purposes of this section, a forfeiture of bail shall be equivalent to a conviction.

SECTION 3. CEQA Compliance. The adoption of this Ordinance is exempt from CEQA pursuant to CEQA Guidelines section 15061(c)(3). which provides that a project is exempt from CEQA when it is covered by the general rule that CEQA only applies to projects which have the potential for causing a significant effect on the environment and does not apply where it can be seen with certainty that there is no possibility of a significant effect. Staff is directed to file a Notice of Exemption with the County Clerk.

SECTION 4. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase be declared unconstitutional.

SECTION 5. Certification. The City Clerk shall certify to the passage of this ordinance and shall cause the same to be entered in the book of original ordinances of said City; shall make a minute passage and adoption thereof in the records of the meeting at which time the same is passed and adopted; and shall, within fifteen (15) days after the passage and adoption thereof, cause a summary of the ordinance to be published as required by law.

SECTION 6. Effective Date. This ordinance shall become effective on the thirty-first day after adoption.

Passed, approved, and adopted this _____day of _____, 2021.

_____

TASHA CERDA, Mayor

ATTEST:

MINA SEMENZA, City Clerk

APPROVED AS TO FORM:

for CARMEN VASQUEZ, City Attorney

Model Water Efficiency Landscaping Ordinance
23 CCR § 490 -495

§ 490. Purpose.

(a) The State Legislature has found:
(1) that the waters of the state are of limited supply and are subject to ever increasing demands;
(2) that the continuation of California's economic prosperity is dependent on the availability of adequate supplies of water for future uses;
(3) that it is the policy of the State to promote the conservation and efficient use of water and to prevent the waste of this valuable resource;
(4) that landscapes are essential to the quality of life in California by providing areas for active and passive recreation and as an enhancement to the environment by cleaning air and water, preventing erosion, offering fire protection, and replacing ecosystems lost to development;
(5) that landscape design, installation, maintenance and management can and should be water efficient;
(6) that Section 2 of Article X of the California Constitution specifies that the right to use water is limited to the amount reasonably required for the beneficial use to be served and the right does not and shall not extend to waste or unreasonable method of use.
(b) Consistent with the legislative findings, the purpose of this model ordinance is to:
(1) promote the values and benefits of landscaping practices that integrate and go beyond the conservation and efficient use of water;
(2) establish a structure for planning, designing, installing, maintaining and managing water efficient landscapes in new construction and rehabilitated projects by encouraging the use of a watershed approach that requires cross-sector collaboration of industry, government and property owners to achieve the many benefits possible;
(3) establish provisions for water management practices and water waste prevention for existing landscapes;
(4) use water efficiently without waste by setting a Maximum Applied Water Allowance as an upper limit for water use and reduce water use to the lowest practical amount;
(5) promote the benefits of consistent landscape ordinances with neighboring local and regional agencies;
(6) encourage local agencies and water purveyors to use economic incentives that promote the efficient use of water, such as implementing a tiered-rate structure; and
(7) encourage local agencies to designate the necessary authority that implements and enforces the provisions of the Model Water Efficient Landscape Ordinance or its local landscape ordinance.
(c) Landscapes that are planned, designed, installed, managed and maintained with the watershed based approach can improve California's environmental conditions and provide benefits and realize sustainability goals. Such landscapes will make the urban environment resilient in the face of climatic extremes. Consistent with the legislative findings and purpose of the Ordinance, conditions in the urban setting will be improved by:

(1) Creating the conditions to support life in the soil by reducing compaction, incorporating organic matter that increases water retention, and promoting productive plant growth that leads to more carbon storage, oxygen production, shade, habitat and esthetic benefits.
(2) Minimizing energy use by reducing irrigation water requirements, reducing reliance on petroleum based fertilizers and pesticides, and planting climate appropriate shade trees in urban areas.
(3) Conserving water by capturing and reusing rainwater and graywater wherever possible and selecting climate appropriate plants that need minimal supplemental water after establishment.
(4) Protecting air and water quality by reducing power equipment use and landfill disposal trips, selecting recycled and locally sourced materials, and using compost, mulch and efficient irrigation equipment to prevent erosion.
(5) Protecting existing habitat and creating new habitat by choosing local native plants, climate adapted non-natives and avoiding invasive plants. Utilizing integrated pest management with least toxic methods as the first course of action.

§ 490.1. Applicability.

(a) After December 1, 2015, and consistent with Executive Order No. B-29-15, this ordinance shall apply to all of the following landscape projects:
(1) new construction projects with an aggregate landscape area equal to or greater than 500 square feet requiring a building or landscape permit, plan check or design review;
(2) rehabilitated landscape projects with an aggregate landscape area equal to or greater than 2,500 square feet requiring a building or landscape permit, plan check, or design review;
(3) existing landscapes limited to Sections 493, 493.1 and 493.2; and
(4) cemeteries. Recognizing the special landscape management needs of cemeteries, new and rehabilitated cemeteries are limited to Sections 492.4, 492.11, and 492. 12; and existing cemeteries are limited to Sections 493, 493.1, and 493.2.
(b) For local land use agencies working together to develop a regional water efficient landscape ordinance, the reporting requirements of this ordinance shall become effective December 1, 2015 and the remainder of this ordinance shall be effective no later than February 1, 2016.
(c) Any project with an aggregate landscape area of 2,500 square feet or less may comply with the performance requirements of this ordinance or conform to the prescriptive measures contained in Appendix D.
(d) For projects using treated or untreated graywater or rainwater captured on site, any lot or parcel within the project that has less than 2500 sq. ft. of landscape and meets the lot or parcel's landscape water requirement (Estimated Total Water Use) entirely with treated or untreated graywater or through stored rainwater captured on site is subject only to Appendix D section (5).
(e) This ordinance does not apply to:
(1) registered local, state or federal historical sites;
(2) ecological restoration projects that do not require a permanent irrigation system;
(3) mined-land reclamation projects that do not require a permanent irrigation system; or

(4) existing plant collections, as part of botanical gardens and arboretums open to the public.

23 CCR § 491
§ 491. Definitions.

The terms used in this ordinance have the meaning set forth below:
(a) ñapplied waterò means the portion of water supplied by the irrigation system to the landscape.
(b) ñautomatic irrigation controllerò means a timing device used to remotely control valves that operate an irrigation system. Automatic irrigation controllers are able to self-adjust and schedule irrigation events using either evapotranspiration (weather-based) or soil moisture data.
(c) ñbackflow prevention deviceò means a safety device used to prevent pollution or contamination of the water supply due to the reverse flow of water from the irrigation system.
(d) ñCertificate of Completionò means the document required under Section 492.9.
(e) ñcertified irrigation designerò means a person certified to design irrigation systems by an accredited academic institution, a professional trade organization or other program such as the US Environmental Protection Agency's WaterSense irrigation designer certification program and Irrigation Association's Certified Irrigation Designer program.
(f) ñcertified landscape irrigation auditorò means a person certified to perform landscape irrigation audits by an accredited academic institution, a professional trade organization or other program such as the US Environmental Protection Agency's WaterSense irrigation auditor certification program and Irrigation Association's Certified Landscape Irrigation Auditor program.
(g) ñcheck valveò or ñanti-drain valveò means a valve located under a sprinkler head, or other location in the irrigation system, to hold water in the system to prevent drainage from sprinkler heads when the sprinkler is off.
(h) ñcommon interest developmentsò means community apartment projects, condominium projects, planned developments, and stock cooperatives per Civil Code Section 1351.
(i) ñcompostò means the safe and stable product of controlled biologic decomposition of organic materials that is beneficial to plant growth.
(j) ñconversion factor (0.62)ò means the number that converts acre-inches per acre per year to gallons per square foot per year.
(k) ñdistribution uniformityò means the measure of the uniformity of irrigation water over a defined area.
(*l*) ñdrip irrigationò means any non-spray low volume irrigation system utilizing emission devices with a flow rate measured in gallons per hour. Low volume irrigation systems are specifically designed to apply small volumes of water slowly at or near the root zone of plants.
(m) ñecological restoration projectò means a project where the site is intentionally altered to establish a defined, indigenous, historic ecosystem.
(n) ñeffective precipitationò or ñusable rainfallò (Eppt) means the portion of total precipitation which becomes available for plant growth.

(o) ñemitteròmeans a drip irrigation emission device that delivers water slowly from the system to the soil.
(p) ñestablished landscapeòmeans the point at which plants in the landscape have developed significant root growth into the soil. Typically, most plants are established after one or two years of growth.
(q) ñestablishment period of the plantsòmeans the first year after installing the plant in the landscape or the first two years if irrigation will be terminated after establishment. Typically, most plants are established after one or two years of growth. Native habitat mitigation areas and trees may need three to five years for establishment.
(r) ñEstimated Total Water Useò(ETWU) means the total water used for the landscape as described in Section 492.4.
(s) ñET adjustment factorò(ETAF) means a factor of 0.55 for residential areas and 0.45 for non-residential areas, that, when applied to reference evapotranspiration, adjusts for plant factors and irrigation efficiency, two major influences upon the amount of water that needs to be applied to the landscape. The ETAF for new and existing (non-rehabilitated) Special Landscape Areas shall not exceed 1.0. The ETAF for existing non-rehabilitated landscapes is 0.8.
(t) ñevapotranspiration rateòmeans the quantity of water evaporated from adjacent soil and other surfaces and transpired by plants during a specified time.
(u) ñflow rateòmeans the rate at which water flows through pipes, valves and emission devices, measured in gallons per minute, gallons per hour, or cubic feet per second.
(v) ñflow sensoròmeans an inline device installed at the supply point of the irrigation system that produces a repeatable signal proportional to flow rate. Flow sensors must be connected to an automatic irrigation controller, or flow monitor capable of receiving flow signals and operating master valves. This combination flow sensor/controller may also function as a landscape water meter or submeter.
(w) ñfriableòmeans a soil condition that is easily crumbled or loosely compacted down to a minimum depth per planting material requirements, whereby the root structure of newly planted material will be allowed to spread unimpeded.
(x) ñFuel Modification Plan Guidelineòmeans guidelines from a local fire authority to assist residents and businesses that are developing land or building structures in a fire hazard severity zone.
(y) ñgraywateròmeans untreated wastewater that has not been contaminated by any toilet discharge, has not been affected by infectious, contaminated, or unhealthy bodily wastes, and does not present a threat from contamination by unhealthful processing, manufacturing, or operating wastes. ñGraywaterò includes, but is not limited to, wastewater from bathtubs, showers, bathroom washbasins, clothes washing machines, and laundry tubs, but does not include wastewater from kitchen sinks or dishwashers. Health and Safety Code Section 17922.12.
(z) ñhardscapesòmeans any durable material (pervious and non-pervious).
(aa) ñhydrozoneòmeans a portion of the landscaped area having plants with similar water needs and rooting depth. A hydrozone may be irrigated or non-irrigated.
(bb) ñnfiltration rateòmeans the rate of water entry into the soil expressed as a depth of water per unit of time (e.g., inches per hour).
(cc) ñnvasive plant speciesòmeans species of plants not historically found in California that spread outside cultivated areas and can damage environmental or economic

resources. Invasive species may be regulated by county agricultural agencies as noxious species. Lists of invasive plants are maintained at the California Invasive Plant Inventory and USDA invasive and noxious weeds database.
(dd) ñirrigation auditòmeans an in-depth evaluation of the performance of an irrigation system conducted by a Certified Landscape Irrigation Auditor. An irrigation audit includes, but is not limited to: inspection, system tune-up, system test with distribution uniformity or emission uniformity, reporting overspray or runoff that causes overland flow, and preparation of an irrigation schedule. The audit must be conducted in a manner consistent with the Irrigation Association's Landscape Irrigation Auditor Certification program or other U.S. Environmental Protection Agency ñWatersenseò labeled auditing program.
(ee) ñirrigation efficiencyò(IE) means the measurement of the amount of water beneficially used divided by the amount of water applied. Irrigation efficiency is derived from measurements and estimates of irrigation system characteristics and management practices. The irrigation efficiency for purposes of this ordinance are 0.75 for overhead spray devices and 0.81 for drip systems.
(ff) ñirrigation surveyòmeans an evaluation of an irrigation system that is less detailed than an irrigation audit. An irrigation survey includes, but is not limited to: inspection, system test, and written recommendations to improve performance of the irrigation system.
(gg) ñirrigation water use analysisòmeans an analysis of water use data based on meter readings and billing data.
(hh) ñlandscape architectòmeans a person who holds a license to practice landscape architecture in the state of California Business and Professions Code, Section 5615.
(ii) ñlandscape areaòmeans all the planting areas, turf areas, and water features in a landscape design plan subject to the Maximum Applied Water Allowance calculation. The landscape area does not include footprints of buildings or structures, sidewalks, driveways, parking lots, decks, patios, gravel or stone walks, other pervious or non-pervious hardscapes, and other non-irrigated areas designated for non-development (e.g., open spaces and existing native vegetation).
(jj) ñlandscape contractoròmeans a person licensed by the state of California to construct, maintain, repair, install, or subcontract the development of landscape systems.
(kk) ñLandscape Documentation Packageòmeans the documents required under Section 492.3.
(*ll*) ñlandscape projectòmeans total area of landscape in a project as defined in ñlandscape areaòfor the purposes of this ordinance, meeting requirements under Section 490.1.
(mm) ñlandscape water meteròmeans an inline device installed at the irrigation supply point that measures the flow of water into the irrigation system and is connected to a totalizer to record water use.
(nn) ñlateral lineòmeans the water delivery pipeline that supplies water to the emitters or sprinklers from the valve.
(oo) ñlocal agencyòmeans a city or county, including a charter city or charter county, that is responsible for adopting and implementing the ordinance. The local agency is

also responsible for the enforcement of this ordinance, including but not limited to, approval of a permit and plan check or design review of a project.
(pp) ñlocal water purveyorò means any entity, including a public agency, city, county, or private water company that provides retail water service.
(qq) ñlow volume irrigationò means the application of irrigation water at low pressure through a system of tubing or lateral lines and low-volume emitters such as drip, drip lines, and bubblers. Low volume irrigation systems are specifically designed to apply small volumes of water slowly at or near the root zone of plants.
(rr) ñmain lineò means the pressurized pipeline that delivers water from the water source to the valve or outlet.
(ss) ñmaster shut-off valveò is an automatic valve installed at the irrigation supply point which controls water flow into the irrigation system. When this valve is closed water will not be supplied to the irrigation system. A master valve will greatly reduce any water loss due to a leaky station valve.
(tt) ñMaximum Applied Water Allowanceò (MAWA) means the upper limit of annual applied water for the established landscaped area as specified in Section 492.4. It is based upon the area's reference evapotranspiration, the ET Adjustment Factor, and the size of the landscape area. The Estimated Total Water Use shall not exceed the Maximum Applied Water Allowance. Special Landscape Areas, including recreation areas, areas permanently and solely dedicated to edible plants such as orchards and vegetable gardens, and areas irrigated with recycled water are subject to the MAWA with an ETAF not to exceed 1.0. MAWA = (ETo) (0.62) [(ETAF x LA) + ((1-ETAF) x SLA)]
(uu) ñmedianò is an area between opposing lanes of traffic that may be unplanted or planted with trees, shrubs, perennials, and ornamental grasses.
(vv) ñmicroclimateò means the climate of a small, specific area that may contrast with the climate of the overall landscape area due to factors such as wind, sun exposure, plant density, or proximity to reflective surfaces.
(ww) ñmined-land reclamation projectsò means any surface mining operation with a reclamation plan approved in accordance with the Surface Mining and Reclamation Act of 1975.
(xx) ñmulchò means any organic material such as leaves, bark, straw, compost, or inorganic mineral materials such as rocks, gravel, or decomposed granite left loose and applied to the soil surface for the beneficial purposes of reducing evaporation, suppressing weeds, moderating soil temperature, and preventing soil erosion.
(yy) ñnew constructionò means, for the purposes of this ordinance, a new building with a landscape or other new landscape, such as a park, playground, or greenbelt without an associated building.
(zz) ñnon-residential landscapeò means landscapes in commercial, institutional, industrial and public settings that may have areas designated for recreation or public assembly. It also includes portions of common areas of common interest developments with designated recreational areas.
(aaa) ñoperating pressureò means the pressure at which the parts of an irrigation system are designed by the manufacturer to operate.
(bbb) ñoverhead sprinkler irrigation systemsò or ñoverhead spray irrigation systemsò means systems that deliver water through the air (e.g., spray heads and rotors).

(ccc) ñoversprayòmeans the irrigation water which is delivered beyond the target area.
(ddd) ñparkwayòmeans the area between a sidewalk and the curb or traffic lane. It may be planted or unplanted, and with or without pedestrian egress.
(eee) ñpermitòmeans an authorizing document issued by local agencies for new construction or rehabilitated landscapes.
(fff) ñperviousòmeans any surface or material that allows the passage of water through the material and into the underlying soil.
(ggg) ñplant factoròor ñplant water use factoròis a factor, when multiplied by ETo, estimates the amount of water needed by plants. For purposes of this ordinance, the plant factor range for very low water use plants is 0 to 0.1, the plant factor range for low water use plants is 0.1 to 0.3, the plant factor range for moderate water use plants is 0.4 to 0.6, and the plant factor range for high water use plants is 0.7 to 1.0. Plant factors cited in this ordinance are derived from the publication ñWater Use Classification of Landscape Speciesò Plant factors may also be obtained from horticultural researchers from academic institutions or professional associations as approved by the California Department of Water Resources (DWR).
(hhh) ñproject applicantòmeans the individual or entity submitting a Landscape Documentation Package required under Section 492.3, to request a permit, plan check, or design review from the local agency. A project applicant may be the property owner or his or her designee.
(iii) ñrain sensoròor ñrain sensing shutoff deviceòmeans a component which automatically suspends an irrigation event when it rains.
(jjj) ñrecord drawingòor ñas-builtsòmeans a set of reproducible drawings which show significant changes in the work made during construction and which are usually based on drawings marked up in the field and other data furnished by the contractor.
(kkk) ñrecreational areaòmeans areas, excluding private single family residential areas, designated for active play, recreation or public assembly in parks, sports fields, picnic grounds, amphitheaters or golf course tees, fairways, roughs, surrounds and greens.
(*lll*) ñrecycled water,ò ñreclaimed water,òor ñtreated sewage effluent wateròmeans treated or recycled waste water of a quality suitable for nonpotable uses such as landscape irrigation and water features. This water is not intended for human consumption.
(mmm) ñreference evapotranspirationòor ñETooòmeans a standard measurement of environmental parameters which affect the water use of plants. ETo is expressed in inches per day, month, or year as represented in Appendix A, and is an estimate of the evapotranspiration of a large field of four- to seven-inch tall, cool-season grass that is well watered. Reference evapotranspiration is used as the basis of determining the Maximum Applied Water Allowances so that regional differences in climate can be accommodated.
(nnn) ñRegional Water Efficient Landscape Ordinanceòmeans a local Ordinance adopted by two or more local agencies, water suppliers and other stakeholders for implementing a consistent set of landscape provisions throughout a geographical region. Regional ordinances are strongly encouraged to provide a consistent framework for the landscape industry and applicants to adhere to.

(ooo) ñrehabilitated landscapeòmeans any relandscaping project that requires a permit, plan check, or design review, meets the requirements of Section 490.1, and the modified landscape area is equal to or greater than 2,500 square feet.
(ppp) ñresidential landscapeòmeans landscapes surrounding single or multifamily homes.
(qqq) ñrun offòmeans water which is not absorbed by the soil or landscape to which it is applied and flows from the landscape area. For example, run off may result from water that is applied at too great a rate (application rate exceeds infiltration rate) or when there is a slope.
(rrr) ñsoil moisture sensing deviceòor ñsoil moisture sensoròmeans a device that measures the amount of water in the soil. The device may also suspend or initiate an irrigation event.
(sss) ñsoil textureòmeans the classification of soil based on its percentage of sand, silt, and clay.
(ttt) ñSpecial Landscape Areaò(SLA) means an area of the landscape dedicated solely to edible plants, recreational areas, areas irrigated with recycled water, or water features using recycled water.
(uuu) ñsprinkler headòor ñspray headòmeans a device which delivers water through a nozzle.
(vvv) ñstatic water pressureòmeans the pipeline or municipal water supply pressure when water is not flowing.
(www) ñstationòmeans an area served by one valve or by a set of valves that operate simultaneously.
(xxx) ñswing jointòmeans an irrigation component that provides a flexible, leak-free connection between the emission device and lateral pipeline to allow movement in any direction and to prevent equipment damage.
(yyy) ñsubmeteròmeans a metering device to measure water applied to the landscape that is installed after the primary utility water meter.
(zzz) ñturfòmeans a ground cover surface of mowed grass. Annual bluegrass, Kentucky bluegrass, Perennial ryegrass, Red fescue, and Tall fescue are cool-season grasses. Bermudagrass, Kikuyugrass, Seashore Paspalum, St. Augustinegrass, Zoysiagrass, and Buffalo grass are warm-season grasses.
(aaaa) ñvalveòmeans a device used to control the flow of water in the irrigation system.
(bbbb) ñwater conserving plant speciesòmeans a plant species identified as having a very low or low plant factor.
(cccc) ñwater featureòmeans a design element where open water performs an aesthetic or recreational function. Water features include ponds, lakes, waterfalls, fountains, artificial streams, spas, and swimming pools (where water is artificially supplied). The surface area of water features is included in the high water use hydrozone of the landscape area. Constructed wetlands used for on-site wastewater treatment or stormwater best management practices that are not irrigated and used solely for water treatment or stormwater retention are not water features and, therefore, are not subject to the water budget calculation.
(dddd) ñwatering windowòmeans the time of day irrigation is allowed.

(eeee) ñWUCOLSòmeans the Water Use Classification of Landscape Species published by the University of California Cooperative Extension and the Department of Water Resources 2014.

23 CCR § 492

§ 492. Provisions for New Construction or Rehabilitated Landscapes.

(a) A local agency may designate by mutual agreement, another agency, such as a water purveyor, to implement some or all of the requirements contained in this ordinance. Local agencies may collaborate with water purveyors to define each entity's specific responsibilities relating to this ordinance.

23 CCR § 492.1

§ 492.1. Compliance with Landscape Documentation Package.

(a) Prior to construction, the local agency shall:
(1) provide the project applicant with the ordinance and procedures for permits, plan checks or design reviews;
(2) review the Landscape Documentation Package submitted by the project applicant;
(3) approve or deny the Landscape Documentation Package;
(4) issue a permit or approve the plan check or design review for the project applicant; and
(5) upon approval of the Landscape Documentation Package, submit a copy of the Water Efficient Landscape Worksheet to the local water purveyor.
(b) Prior to construction, the project applicant shall:
(1) submit a Landscape Documentation Package to the local agency.
(c) Upon approval of the Landscape Documentation Package by the local agency, the project applicant shall:
(1) receive a permit or approval of the plan check or design review and record the date of the permit in the Certificate of Completion;
(2) submit a copy of the approved Landscape Documentation Package along with the record drawings, and any other information to the property owner or his/her designee; and
(3) submit a copy of the Water Efficient Landscape Worksheet to the local water purveyor.

§ 492.2. Penalties.

(a) A local agency may establish and administer penalties to the project applicant for non-compliance with the ordinance to the extent permitted by law.

23 CCR § 492.3

§ 492.3. Elements of the Landscape Documentation Package.

(a) The Landscape Documentation Package shall include the following six (6) elements:
(1) project information;

(A) date
(B) project applicant
(C) project address (if available, parcel and/or lot number(s))
(D) total landscape area (square feet)
(E) project type (e.g., new, rehabilitated, public, private, cemetery, homeowner-installed)
(F) water supply type (e.g., potable, recycled, well) and identify the local retail water purveyor if the applicant is not served by a private well
(G) checklist of all documents in Landscape Documentation Package
(H) project contacts to include contact information for the project applicant and property owner
(I) applicant signature and date with statement, ñI agree to comply with the requirements of the water efficient landscape ordinance and submit a complete Landscape Documentation Packageò
(2) Water Efficient Landscape Worksheet;
(A) hydrozone information table
(B) water budget calculations
1. Maximum Applied Water Allowance (MAWA)
2. Estimated Total Water Use (ETWU)
(3) soil management report;
(4) landscape design plan;
(5) irrigation design plan; and
(6) grading design plan.

23 CCR § 492.4
§ 492.4. Water Efficient Landscape Worksheet.

(a) A project applicant shall complete the Water Efficient Landscape Worksheet in Appendix B which contains information on the plant factor, irrigation method, irrigation efficiency, and area associated with each hydrozone. Calculations are then made to show that the evapotranspiration adjustment factor (ETAF) for the landscape project does not exceed a factor of 0.55 for residential areas and 0.45 for non-residential areas, exclusive of Special Landscape Areas. The ETAF for a landscape project is based on the plant factors and irrigation methods selected. The Maximum Applied Water Allowance is calculated based on the maximum ETAF allowed (0.55 for residential areas and 0.45 for non-residential areas) and expressed as annual gallons required. The Estimated Total Water Use (ETWU) is calculated based on the plants used and irrigation method selected for the landscape design. ETWU must be below the MAWA.
(1) In calculating the Maximum Applied Water Allowance and Estimated Total Water Use, a project applicant shall use the ETo values from the Reference Evapotranspiration Table in Appendix A. For geographic areas not covered in Appendix A, use data from other cities located nearby in the same reference evapotranspiration zone, as found in the CIMIS Reference Evapotranspiration Zones Map, Department of Water Resources, 1999.
(b) Water budget calculations shall adhere to the following requirements:
(1) The plant factor used shall be from WUCOLS or from horticultural researchers with academic institutions or professional associations as approved by the California

Department of Water Resources (DWR). The plant factor ranges from 0 to 0.1 for very low water using plants, 0.1 to 0.3 for low water use plants, from 0.4 to 0.6 for moderate water use plants, and from 0.7 to 1.0 for high water use plants.
(2) All water features shall be included in the high water use hydrozone and temporarily irrigated areas shall be included in the low water use hydrozone.
(3) All Special Landscape Areas shall be identified and their water use calculated as shown in Appendix B.
(4) ETAF for new and existing (non-rehabilitated) Special Landscape Areas shall not exceed 1.0.

23 CCR § 492.5

§ 492.5. Soil Management Report.

(a) In order to reduce runoff and encourage healthy plant growth, a soil management report shall be completed by the project applicant, or his/her designee, as follows:
(1) Submit soil samples to a laboratory for analysis and recommendations.
(A) Soil sampling shall be conducted in accordance with laboratory protocol, including protocols regarding adequate sampling depth for the intended plants.
(B) The soil analysis shall include:
1. soil texture;
2. infiltration rate determined by laboratory test or soil texture infiltration rate table;
3. pH;
4. total soluble salts;
5. sodium;
6. percent organic matter; and
7. recommendations.
(C) In projects with multiple landscape installations (i.e. production home developments) a soil sampling rate of 1 in 7 lots or approximately 15% will satisfy this requirement. Large landscape projects shall sample at a rate equivalent to 1 in 7 lots.
(2) The project applicant, or his/her designee, shall comply with one of the following:
(A) If significant mass grading is not planned, the soil analysis report shall be submitted to the local agency as part of the Landscape Documentation Package; or
(B) If significant mass grading is planned, the soil analysis report shall be submitted to the local agency as part of the Certificate of Completion.
(3) The soil analysis report shall be made available, in a timely manner, to the professionals preparing the landscape design plans and irrigation design plans to make any necessary adjustments to the design plans.
(4) The project applicant, or his/her designee, shall submit documentation verifying implementation of soil analysis report recommendations to the local agency with Certificate of Completion.

23 CCR § 492.6

§ 492.6. Landscape Design Plan.

(a) For the efficient use of water, a landscape shall be carefully designed and planned for the intended function of the project. A landscape design plan meeting the following design criteria shall be submitted as part of the Landscape Documentation Package.
(1) Plant Material
(A) Any plant may be selected for the landscape, providing the Estimated Total Water Use in the landscape area does not exceed the Maximum Applied Water Allowance. Methods to achieve water efficiency shall include one or more of the following:
1. protection and preservation of native species and natural vegetation;
2. selection of water-conserving plant, tree and turf species, especially local native plants;
3. selection of plants based on local climate suitability, disease and pest resistance;
4. selection of trees based on applicable local tree ordinances or tree shading guidelines, and size at maturity as appropriate for the planting area; and
5. selection of plants from local and regional landscape program plant lists.
6. selection of plants from local Fuel Modification Plan Guidelines.
(B) Each hydrozone shall have plant materials with similar water use, with the exception of hydrozones with plants of mixed water use, as specified in Section 492.7(a)(2)(D).
(C) Plants shall be selected and planted appropriately based upon their adaptability to the climatic, geologic, and topographical conditions of the project site. Methods to achieve water efficiency shall include one or more of the following:
1. use the Sunset Western Climate Zone System which takes into account temperature, humidity, elevation, terrain, latitude, and varying degrees of continental and marine influence on local climate;
2. recognize the horticultural attributes of plants (i.e., mature plant size, invasive surface roots) to minimize damage to property or infrastructure [e.g., buildings, sidewalks, power lines]; allow for adequate soil volume for healthy root growth; and
3. consider the solar orientation for plant placement to maximize summer shade and winter solar gain.
(D) Turf is not allowed on slopes greater than 25% where the toe of the slope is adjacent to an impermeable hardscape and where 25% means 1 foot of vertical elevation change for every 4 feet of horizontal length (rise divided by run x 100 = slope percent).
(E) High water use plants, characterized by a plant factor of 0.7 to 1.0, are prohibited in street medians.
(F) A landscape design plan for projects in fire-prone areas shall address fire safety and prevention. A defensible space or zone around a building or structure is required per Public Resources Code Section 4291(a) and (b). Avoid fire-prone plant materials and highly flammable mulches. Refer to the local Fuel Modification Plan guidelines.
(G) The use of invasive plant species, such as those listed by the California Invasive Plant Council, is strongly discouraged.
(H) The architectural guidelines of a common interest development, which include community apartment projects, condominiums, planned developments, and stock cooperatives, shall not prohibit or include conditions that have the effect of prohibiting the use of low-water use plants as a group.
(2) Water Features
(A) Recirculating water systems shall be used for water features.

(B) Where available, recycled water shall be used as a source for decorative water features.
(C) Surface area of a water feature shall be included in the high water use hydrozone area of the water budget calculation.
(D) Pool and spa covers are highly recommended.
(3) Soil Preparation, Mulch and Amendments
(A) Prior to the planting of any materials, compacted soils shall be transformed to a friable condition. On engineered slopes, only amended planting holes need meet this requirement.
(B) Soil amendments shall be incorporated according to recommendations of the soil report and what is appropriate for the plants selected (see Section 492.5).
(C) For landscape installations, compost at a rate of a minimum of four cubic yards per 1,000 square feet of permeable area shall be incorporated to a depth of six inches into the soil. Soils with greater than 6% organic matter in the top 6 inches of soil are exempt from adding compost and tilling.
(D) A minimum three inch (3") layer of mulch shall be applied on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting groundcovers, or direct seeding applications where mulch is contraindicated. To provide habitat for beneficial insects and other wildlife, up to 5% of the landscape area may be left without mulch. Designated insect habitat must be included in the landscape design plan as such.
(E) Stabilizing mulching products shall be used on slopes that meet current engineering standards.
(F) The mulching portion of the seed/mulch slurry in hydro-seeded applications shall meet the mulching requirement.
(G) Organic mulch materials made from recycled or post-consumer shall take precedence over inorganic materials or virgin forest products unless the recycled post-consumer organic products are not locally available. Organic mulches are not required where prohibited by local Fuel Modification Plan Guidelines or other applicable local ordinances.
(b) The landscape design plan, at a minimum, shall:
(1) delineate and label each hydrozone by number, letter, or other method;
(2) identify each hydrozone as low, moderate, high water, or mixed water use. Temporarily irrigated areas of the landscape shall be included in the low water use hydrozone for the water budget calculation;
(3) identify recreational areas;
(4) identify areas permanently and solely dedicated to edible plants;
(5) identify areas irrigated with recycled water;
(6) identify type of mulch and application depth;
(7) identify soil amendments, type, and quantity;
(8) identify type and surface area of water features;
(9) identify hardscapes (pervious and non-pervious);
(10) identify location, installation details, and 24-hour retention or infiltration capacity of any applicable stormwater best management practices that encourage on-site retention and infiltration of stormwater. Project applicants shall refer to the local agency or regional Water Quality Control Board for information on any applicable stormwater

technical requirements. Stormwater best management practices are encouraged in the landscape design plan and examples are provided in Section 492.16.
(11) identify any applicable rain harvesting or catchment technologies as discussed in Section 492.16 and their 24-hour retention or infiltration capacity;
(12) identify any applicable graywater discharge piping, system components and area(s) of distribution;
(13) contain the following statement: ñI have complied with the criteria of the ordinance and applied them for the efficient use of water in the landscape design plan.ò; and
(14) bear the signature of a licensed landscape architect, licensed landscape contractor, or any other person authorized to design a landscape. (See Sections 5500.1, 5615, 5641, 5641.1, 5641.2, 5641.3, 5641.4, 5641.5, 5641.6, 6701, 7027.5 of the Business and Professions Code, Section 832.27 of Title 16 of the California Code of Regulations, and Section 6721 of the Food and Agriculture Code.).

23 CCR § 492.7

§ 492.7. Irrigation Design Plan.

(a) This section applies to landscaped areas requiring permanent irrigation, not areas that require temporary irrigation solely for the plant establishment period. For the efficient use of water, an irrigation system shall meet all the requirements listed in this section and the manufacturers' recommendations. The irrigation system and its related components shall be planned and designed to allow for proper installation, management, and maintenance. An irrigation design plan meeting the following design criteria shall be submitted as part of the Landscape Documentation Package.
(1) System
(A) Landscape water meters, defined as either a dedicated water service meter or private submeter, shall be installed for all non-residential irrigated landscapes of 1,000 sq. ft. but not more than 5,000 sq.ft. (the level at which Water Code 535 applies) and residential irrigated landscapes of 5,000 sq. ft. or greater. A landscape water meter may be either:
1. a customer service meter dedicated to landscape use provided by the local water purveyor; or
2. a privately owned meter or submeter.
(B) Automatic irrigation controllers utilizing either evapotranspiration or soil moisture sensor data utilizing non-volatile memory shall be required for irrigation scheduling in all irrigation systems.
(C) If the water pressure is below or exceeds the recommended pressure of the specified irrigation devices, the installation of a pressure regulating device is required to ensure that the dynamic pressure at each emission device is within the manufacturer's recommended pressure range for optimal performance.
1. If the static pressure is above or below the required dynamic pressure of the irrigation system, pressure-regulating devices such as inline pressure regulators, booster pumps, or other devices shall be installed to meet the required dynamic pressure of the irrigation system.
2. Static water pressure, dynamic or operating pressure, and flow reading of the water supply shall be measured at the point of connection. These pressure and flow

measurements shall be conducted at the design stage. If the measurements are not available at the design stage, the measurements shall be conducted at installation.
(D) Sensors (rain, freeze, wind, etc.), either integral or auxiliary, that suspend or alter irrigation operation during unfavorable weather conditions shall be required on all irrigation systems, as appropriate for local climatic conditions. Irrigation should be avoided during windy or freezing weather or during rain.
(E) Manual shut-off valves (such as a gate valve, ball valve, or butterfly valve) shall be required, as close as possible to the point of connection of the water supply, to minimize water loss in case of an emergency (such as a main line break) or routine repair.
(F) Backflow prevention devices shall be required to protect the water supply from contamination by the irrigation system. A project applicant shall refer to the applicable local agency code (i.e., public health) for additional backflow prevention requirements.
(G) Flow sensors that detect high flow conditions created by system damage or malfunction are required for all on non-residential landscapes and residential landscapes of 5000 sq. ft. or larger.
(H) Master shut-off valves are required on all projects except landscapes that make use of technologies that allow for the individual control of sprinklers that are individually pressurized in a system equipped with low pressure shut down features.
(I) The irrigation system shall be designed to prevent runoff, low head drainage, overspray, or other similar conditions where irrigation water flows onto non-targeted areas, such as adjacent property, non-irrigated areas, hardscapes, roadways, or structures.
(J) Relevant information from the soil management plan, such as soil type and infiltration rate, shall be utilized when designing irrigation systems.
(K) The design of the irrigation system shall conform to the hydrozones of the landscape design plan.
(L) The irrigation system must be designed and installed to meet, at a minimum, the irrigation efficiency criteria as described in Section 492.4 regarding the Maximum Applied Water Allowance.
(M) All irrigation emission devices must meet the requirements set in the American National Standards Institute (ANSI) standard, American Society of Agricultural and Biological Engineers'/International Code Council's (ASABE/ICC) 802-2014 ñLandscape Irrigation Sprinkler and Emitter Standard, All sprinkler heads installed in the landscape must document a distribution uniformity low quarter of 0.65 or higher using the protocol defined in ASABE/ICC 802-2014.
(N) It is highly recommended that the project applicant or local agency inquire with the local water purveyor about peak water operating demands (on the water supply system) or water restrictions that may impact the effectiveness of the irrigation system.
(O) In mulched planting areas, the use of low volume irrigation is required to maximize water infiltration into the root zone.
(P) Sprinkler heads and other emission devices shall have matched precipitation rates, unless otherwise directed by the manufacturer's recommendations.
(Q) Head to head coverage is recommended. However, sprinkler spacing shall be designed to achieve the highest possible distribution uniformity using the manufacturer's recommendations.

(R) Swing joints or other riser-protection components are required on all risers subject to damage that are adjacent to hardscapes or in high traffic areas of turfgrass.
(S) Check valves or anti-drain valves are required on all sprinkler heads where low point drainage could occur.
(T) Areas less than ten (10) feet in width in any direction shall be irrigated with subsurface irrigation or other means that produces no runoff or overspray.
(U) Overhead irrigation shall not be permitted within 24 inches of any non-permeable surface. Allowable irrigation within the setback from non-permeable surfaces may include drip, drip line, or other low flow non-spray technology. The setback area may be planted or unplanted. The surfacing of the setback may be mulch, gravel, or other porous material. These restrictions may be modified if:
1. the landscape area is adjacent to permeable surfacing and no runoff occurs; or
2. the adjacent non-permeable surfaces are designed and constructed to drain entirely to landscaping; or
3. the irrigation designer specifies an alternative design or technology, as part of the Landscape Documentation Package and clearly demonstrates strict adherence to irrigation system design criteria in Section 492.7 (a)(1)(I). Prevention of overspray and runoff must be confirmed during the irrigation audit.
(V) Slopes greater than 25% shall not be irrigated with an irrigation system with a application rate exceeding 0.75 inches per hour. This restriction may be modified if the landscape designer specifies an alternative design or technology, as part of the Landscape Documentation Package, and clearly demonstrates no runoff or erosion will occur. Prevention of runoff and erosion must be confirmed during the irrigation audit.
(2) Hydrozone
(A) Each valve shall irrigate a hydrozone with similar site, slope, sun exposure, soil conditions, and plant materials with similar water use.
(B) Sprinkler heads and other emission devices shall be selected based on what is appropriate for the plant type within that hydrozone.
(C) Where feasible, trees shall be placed on separate valves from shrubs, groundcovers, and turf to facilitate the appropriate irrigation of trees. The mature size and extent of the root zone shall be considered when designing irrigation for the tree.
(D) Individual hydrozones that mix plants of moderate and low water use, or moderate and high water use, may be allowed if:
1. plant factor calculation is based on the proportions of the respective plant water uses and their plant factor; or
2. the plant factor of the higher water using plant is used for calculations.
(E) Individual hydrozones that mix high and low water use plants shall not be permitted.
(F) On the landscape design plan and irrigation design plan, hydrozone areas shall be designated by number, letter, or other designation. On the irrigation design plan, designate the areas irrigated by each valve, and assign a number to each valve. Use this valve number in the Hydrozone Information Table (see Appendix B Section A). This table can also assist with the irrigation audit and programming the controller.
(b) The irrigation design plan, at a minimum, shall contain:
(1) location and size of separate water meters for landscape;

(2) location, type and size of all components of the irrigation system, including controllers, main and lateral lines, valves, sprinkler heads, moisture sensing devices, rain switches, quick couplers, pressure regulators, and backflow prevention devices;
(3) static water pressure at the point of connection to the public water supply;
(4) flow rate (gallons per minute), application rate (inches per hour), and design operating pressure (pressure per square inch) for each station;
(5) recycled water irrigation systems as specified in Section 492.14;
(6) the following statement: ñI have complied with the criteria of the ordinance and applied them accordingly for the efficient use of water in the irrigation design planò; and
(7) the signature of a licensed landscape architect, certified irrigation designer, licensed landscape contractor, or any other person authorized to design an irrigation system.
(See Sections 5500.1, 5615, 5641, 5641.1, 5641.2, 5641.3, 5641.4, 5641.5, 5641.6, 6701, 7027.5 of the Business and Professions Code, Section 832.27 of Title 16 of the California Code of Regulations, and Section 6721 of the Food and Agricultural Code.)

23 CCR § 492.8

§ 492.8. Grading Design Plan.

(a) For the efficient use of water, grading of a project site shall be designed to minimize soil erosion, runoff, and water waste. A grading plan shall be submitted as part of the Landscape Documentation Package. A comprehensive grading plan prepared by a civil engineer for other local agency permits satisfies this requirement.
(1) The project applicant shall submit a landscape grading plan that indicates finished configurations and elevations of the landscape area including:
(A) height of graded slopes;
(B) drainage patterns;
(C) pad elevations;
(D) finish grade; and
(E) stormwater retention improvements, if applicable.
(2) To prevent excessive erosion and runoff, it is highly recommended that project applicants:
(A) grade so that all irrigation and normal rainfall remains within property lines and does not drain on to non-permeable hardscapes;
(B) avoid disruption of natural drainage patterns and undisturbed soil; and
(C) avoid soil compaction in landscape areas.
(3) The grading design plan shall contain the following statement: ñI have complied with the criteria of the ordinance and applied them accordingly for the efficient use of water in the grading design planòand shall bear the signature of a licensed professional as authorized by law.

23 CCR § 492.9

§ 492.9. Certificate of Completion.

(a) The Certificate of Completion (see Appendix C for a sample certificate) shall include the following six (6) elements:
(1) project information sheet that contains:

(A) date;
(B) project name;
(C) project applicant name, telephone, and mailing address;
(D) project address and location; and
(E) property owner name, telephone, and mailing address;
(2) certification by either the signer of the landscape design plan, the signer of the irrigation design plan, or the licensed landscape contractor that the landscape project has been installed per the approved Landscape Documentation Package;
(A) where there have been significant changes made in the field during construction, these ñas-builtò or record drawings shall be included with the certification;
(B) A diagram of the irrigation plan showing hydrozones shall be kept with the irrigation controller for subsequent management purposes.
(3) irrigation scheduling parameters used to set the controller (see Section 492.10);
(4) landscape and irrigation maintenance schedule (see Section 492.11);
(5) irrigation audit report (see Section 492.12); and
(6) soil analysis report, if not submitted with Landscape Documentation Package, and documentation verifying implementation of soil report recommendations (see Section 492.5).
(b) The project applicant shall:
(1) submit the signed Certificate of Completion to the local agency for review;
(2) ensure that copies of the approved Certificate of Completion are submitted to the local water purveyor and property owner or his or her designee.
(c) The local agency shall:
(1) receive the signed Certificate of Completion from the project applicant;
(2) approve or deny the Certificate of Completion. If the Certificate of Completion is denied, the local agency shall provide information to the project applicant regarding reapplication, appeal, or other assistance.

23 CCR § 492.10
§ 492.10. Irrigation Scheduling.

(a) For the efficient use of water, all irrigation schedules shall be developed, managed, and evaluated to utilize the minimum amount of water required to maintain plant health. Irrigation schedules shall meet the following criteria:
(1) Irrigation scheduling shall be regulated by automatic irrigation controllers.
(2) Overhead irrigation shall be scheduled between 8:00 p.m. and 10:00 a.m. unless weather conditions prevent it. If allowable hours of irrigation differ from the local water purveyor, the stricter of the two shall apply. Operation of the irrigation system outside the normal watering window is allowed for auditing and system maintenance.
(3) For implementation of the irrigation schedule, particular attention must be paid to irrigation run times, emission device, flow rate, and current reference evapotranspiration, so that applied water meets the Estimated Total Water Use. Total annual applied water shall be less than or equal to Maximum Applied Water Allowance (MAWA). Actual irrigation schedules shall be regulated by automatic irrigation controllers using current reference evapotranspiration data (e.g., CIMIS) or soil moisture sensor data.

(4) Parameters used to set the automatic controller shall be developed and submitted for each of the following:
(A) the plant establishment period;
(B) the established landscape; and
(C) temporarily irrigated areas.
(5) Each irrigation schedule shall consider for each station all of the following that apply:
(A) irrigation interval (days between irrigation);
(B) irrigation run times (hours or minutes per irrigation event to avoid runoff);
(C) number of cycle starts required for each irrigation event to avoid runoff;
(D) amount of applied water scheduled to be applied on a monthly basis;
(E) application rate setting;
(F) root depth setting;
(G) plant type setting;
(H) soil type;
(I) slope factor setting;
(J) shade factor setting; and
(K) irrigation uniformity or efficiency setting.

23 CCR § 492.11

§ 492.11. Landscape and Irrigation Maintenance Schedule.

(a) Landscapes shall be maintained to ensure water use efficiency. A regular maintenance schedule shall be submitted with the Certificate of Completion.
(b) A regular maintenance schedule shall include, but not be limited to, routine inspection; auditing, adjustment and repair of the irrigation system and its components; aerating and dethatching turf areas; topdressing with compost, replenishing mulch; fertilizing; pruning; weeding in all landscape areas, and removing obstructions to emission devices. Operation of the irrigation system outside the normal watering window is allowed for auditing and system maintenance.
(c) Repair of all irrigation equipment shall be done with the originally installed components or their equivalents or with components with greater efficiency.
(d) A project applicant is encouraged to implement established landscape industry sustainable Best Practices for all landscape maintenance activities.

23 CCR § 492.12

§ 492.12. Irrigation Audit, Irrigation Survey, and Irrigation Water Use Analysis.

(a) All landscape irrigation audits shall be conducted by a local agency landscape irrigation auditor or a third party certified landscape irrigation auditor. Landscape audits shall not be conducted by the person who designed the landscape or installed the landscape.
(b) In large projects or projects with multiple landscape installations (i.e. production home developments) an auditing rate of 1 in 7 lots or approximately 15% will satisfy this requirement.

(c) For new construction and rehabilitated landscape projects installed after December 1, 2015, as described in Section 490.1:
(1) the project applicant shall submit an irrigation audit report with the Certificate of Completion to the local agency that may include, but is not limited to: inspection, system tune-up, system test with distribution uniformity, reporting overspray or run off that causes overland flow, and preparation of an irrigation schedule, including configuring irrigation controllers with application rate, soil types, plant factors, slope, exposure and any other factors necessary for accurate programming;
(2) the local agency shall administer programs that may include, but not be limited to, irrigation water use analysis, irrigation audits, and irrigation surveys for compliance with the Maximum Applied Water Allowance.

23 CCR § 492.13
§ 492.13. Irrigation Efficiency.

(a) For the purpose of determining Estimated Total Water Use, average irrigation efficiency is assumed to be 0.75 for overhead spray devices and 0.81 for drip system devices.

23 CCR § 492.14
§ 492.14. Recycled Water.

(a) The installation of recycled water irrigation systems shall allow for the current and future use of recycled water.
(b) All recycled water irrigation systems shall be designed and operated in accordance with all applicable local and State laws.
(c) Landscapes using recycled water are considered Special Landscape Areas. The ET Adjustment Factor for new and existing (non-rehabilitated) Special Landscape Areas shall not exceed 1.0.

23 CCR § 492.15
§ 492.15. Graywater Systems.

(a) Graywater systems promote the efficient use of water and are encouraged to assist in on-site landscape irrigation. All graywater systems shall conform to the California Plumbing Code (Title 24, Part 5, Chapter 16) and any applicable local ordinance standards. Refer to § 490.1 (d) for the applicability of this ordinance to landscape areas less than 2,500 square feet with the Estimated Total Water Use met entirely by graywater.

23 CCR § 492.16
§ 492.16. Stormwater Management and Rainwater Retention.

(a) Stormwater management practices minimize runoff and increase infiltration which recharges groundwater and improves water quality. Implementing stormwater best

management practices into the landscape and grading design plans to minimize runoff and to increase on-site rainwater retention and infiltration are encouraged.
(b) Project applicants shall refer to the local agency or Regional Water Quality Control Board for information on any applicable stormwater technical requirements.
(c) All planted landscape areas are required to have friable soil to maximize water retention and infiltration. Refer to § 492.6(a)(3).
(d) It is strongly recommended that landscape areas be designed for capture and infiltration capacity that is sufficient to prevent runoff from impervious surfaces (i.e. roof and paved areas) from either: the one inch, 24-hour rain event or (2) the 85th percentile, 24-hour rain event, and/or additional capacity as required by any applicable local, regional, state or federal regulation.
(e) It is recommended that storm water projects incorporate any of the following elements to improve on-site storm water and dry weather runoff capture and use:
ÅGrade impervious surfaces, such as driveways, during construction to drain to vegetated areas.
ÅMinimize the area of impervious surfaces such as paved areas, roof and concrete driveways.
ÅIncorporate pervious or porous surfaces (e.g., gravel, permeable pavers or blocks, pervious or porous concrete) that minimize runoff.
ÅDirect runoff from paved surfaces and roof areas into planting beds or landscaped areas to maximize site water capture and reuse.
ÅIncorporate rain gardens, cisterns, and other rain harvesting or catchment systems.
ÅIncorporate infiltration beds, swales, basins and drywells to capture storm water and dry weather runoff and increase percolation into the soil.
ÅConsider constructed wetlands and ponds that retain water, equalize excess flow, and filter pollutants.

23 CCR § 492.17
§ 492.17. Public Education.

(a) Publications. Education is a critical component to promote the efficient use of water in landscapes. The use of appropriate principles of design, installation, management and maintenance that save water is encouraged in the community.
(1) A local agency or water supplier/purveyor shall provide information to owners of permitted renovations and new, single-family residential homes regarding the design, installation, management, and maintenance of water efficient landscapes based on a water budget.
(b) Model Homes. All model homes that are landscaped shall use signs and written information to demonstrate the principles of water efficient landscapes described in this ordinance.
(1) Signs shall be used to identify the model as an example of a water efficient landscape featuring elements such as hydrozones, irrigation equipment, and others that contribute to the overall water efficient theme. Signage shall include information about the site water use as designed per the local ordinance; specify who designed and installed the water efficient landscape; and demonstrate low water use approaches to

landscaping such as using native plants, graywater systems, and rainwater catchment systems.
(2) Information shall be provided about designing, installing, managing, and maintaining water efficient landscapes.

23 CCR § 492.18
§ 492.18. Environmental Review.

(a) The local agency must comply with the California Environmental Quality Act (CEQA), as appropriate.

23 CCR § 493
§ 493. Provisions for Existing Landscapes.

(a) A local agency may by mutual agreement, designate another agency, such as a water purveyor, to implement some or all of the requirements contained in this ordinance. Local agencies may collaborate with water purveyors to define each entity's specific responsibilities relating to this ordinance.

23 CCR § 493.1
§ 493.1. Irrigation Audit, Irrigation Survey, and Irrigation Water Use Analysis.

(a) This section, 493.1, shall apply to all existing landscapes that were installed before December 1, 2015 and are over one acre in size.
(1) For all landscapes in 493.1 (a) that have a water meter, the local agency shall administer programs that may include, but not be limited to, irrigation water use analyses, irrigation surveys, and irrigation audits to evaluate water use and provide recommendations as necessary to reduce landscape water use to a level that does not exceed the Maximum Applied Water Allowance for existing landscapes. The Maximum Applied Water Allowance for existing landscapes shall be calculated as: MAWA = (0.8) (ETo) (LA) (0.62).
(2) For all landscapes in 493.1(a), that do not have a meter, the local agency shall administer programs that may include, but not be limited to, irrigation surveys and irrigation audits to evaluate water use and provide recommendations as necessary in order to prevent water waste.
(b) All landscape irrigation audits shall be conducted by a certified landscape irrigation auditor.

23 CCR § 493.2
§ 493.2. Water Waste Prevention.

(a) Local agencies shall prevent water waste resulting from inefficient landscape irrigation by prohibiting runoff from leaving the target landscape due to low head drainage, overspray, or other similar conditions where water flows onto adjacent

property, non-irrigated areas, walks, roadways, parking lots, or structures. Penalties for violation of these prohibitions shall be established locally.
(b) Restrictions regarding overspray and runoff may be modified if:
(1) the landscape area is adjacent to permeable surfacing and no runoff occurs; or
(2) the adjacent non-permeable surfaces are designed and constructed to drain entirely to landscaping.

23 CCR § 494
§ 494. Effective Precipitation.

(a) A local agency may consider Effective Precipitation (25% of annual precipitation) in tracking water use and may use the following equation to calculate Maximum Applied Water Allowance:
MAWA = (ETo - Eppt) (0.62) [(0.55 x LA) + (0.45 x SLA)] for residential areas.
MAWA = (ETo - EPPT) (0.62) [(0.45 x LA) + (0.55 x SLA)] for non-residential areas.

23 CCR § 495
§ 495. Reporting.

(a) Local agencies shall report on implementation and enforcement by December 31, 2015. Local agencies responsible for administering individual ordinances shall report on their updated ordinance, while those agencies developing a regional ordinance shall report on their existing ordinance. Those agencies crafting a regional ordinances shall also report on their new ordinance by March 1, 2016. Subsequently, reporting for all agencies will be due by January 31st of each year. Reports shall be submitted to the Department of Water Resources.
(b) Local agencies are to address the following:
(1) State whether you are adopting a single agency ordinance or a regional agency alliance ordinance, and the date of adoption or anticipated date of adoption.
(2) Define the reporting period. The reporting period shall commence on December 1, 2015 and the end on December 28, 2015. For local agencies crafting regional ordinances with other agencies, there shall be an additional reporting period commencing on February 1, 2016 and ending on February 28, 2016. In subsequent years, all local agency reporting will be for the calendar year.
(3) State if using a locally modified Water Efficient Landscape Ordinance (WELO) or the MWELO. If using a locally modified WELO, how is it different than MWELO, is it at least as efficient as MWELO, and are there any exemptions specified?
(4) State the entity responsible for implementing the ordinance.
(5) State number and types of projects subject to the ordinance during the specified reporting period.
(6) State the total area (in square feet or acres) subject to the ordinance over the reporting period, if available.
(7) Provide the number of new housing starts, new commercial projects, and landscape retrofits during the reporting period.
(8) Describe the procedure for review of projects subject to the ordinance.

(9) Describe actions taken to verify compliance. Is a plan check performed; if so, by what entity? Is a site inspection performed; if so, by what entity? Is a post-installation audit required; if so, by whom?
(10) Describe enforcement measures.
(11) Explain challenges to implementing and enforcing the ordinance.
(12) Describe educational and other needs to properly apply the ordinance.

23 CCR Appendix A

Appendix A. Reference Evapotranspiration (ETo) Table

23 CCR Appendix B

Appendix B - Sample Water Efficient Landscape Worksheet.

23 CCR Appendix C

Appendix C - Sample Certificate of Completion.

Appendix D - Prescriptive Compliance Option.

(a) This appendix contains prescriptive requirements which may be used as a compliance option to the Model Water Efficient Landscape Ordinance.
(b) Compliance with the following items is mandatory and must be documented on a landscape plan in order to use the prescriptive compliance option:
(1) Submit a Landscape Documentation Package which includes the following elements:
(A) date
(B) project applicant
(C) project address (if available, parcel and/or lot number(s))
(D) total landscape area (square feet), including a breakdown of turf and plant material
(E) project type (e.g., new, rehabilitated, public, private, cemetery, homeowner-installed)
(F) water supply type (e.g., potable, recycled, well) and identify the local retail water purveyor if the applicant is not served by a private well
(G) contact information for the project applicant and property owner
(H) applicant signature and date with statement, ñI agree to comply with the requirements of the prescriptive compliance option to the MWELOò
(2) Incorporate compost at a rate of at least four cubic yards per 1,000 square feet to a depth of six inches into landscape area (unless contra-indicated by a soil test);
(3) Plant material shall comply with all of the following;
(A) For residential areas, install climate adapted plants that require occasional, little or no summer water (average WUCOLS plant factor 0.3) for 75% of the plant area excluding edibles and areas using recycled water; For non-residential areas, install climate adapted plants that require occasional, little or no summer water (average WUCOLS plant factor 0.3) for 100% of the plant area excluding edibles and areas using recycled water;
(B) A minimum three inch (3n) layer of mulch shall be applied on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting groundcovers, or direct seeding applications where mulch is contraindicated.

(4) Turf shall comply with all of the following:
(A) Turf shall not exceed 25% of the landscape area in residential areas, and there shall be no turf in non-residential areas;
(B) Turf shall not be planted on sloped areas which exceed a slope of 1 foot vertical elevation change for every 4 feet of horizontal length;
(C) Turf is prohibited in parkways less than 10 feet wide, unless the parkway is adjacent to a parking strip and used to enter and exit vehicles. Any turf in parkways must be irrigated by sub-surface irrigation or by other technology that creates no overspray or runoff.
(5) Irrigation systems shall comply with the following:
(A) Automatic irrigation controllers are required and must use evapotranspiration or soil moisture sensor data and utilize a rain sensor.
(B) Irrigation controllers shall be of a type which does not lose programming data in the event the primary power source is interrupted.
(C) Pressure regulators shall be installed on the irrigation system to ensure the dynamic pressure of the system is within the manufacturers recommended pressure range.
(D) Manual shut-off valves (such as a gate valve, ball valve, or butterfly valve) shall be installed as close as possible to the point of connection of the water supply.
(E) All irrigation emission devices must meet the requirements set in the ANSI standard, ASABE/ICC 802-2014. ñLandscape Irrigation Sprinkler and Emitter Standard,òAll sprinkler heads installed in the landscape must document a distribution uniformity low quarter of 0.65 or higher using the protocol defined in ASABE/ICC 802-2014.
(F) Areas less than ten (10) feet in width in any direction shall be irrigated with subsurface irrigation or other means that produces no runoff or overspray.
(6) For non-residential projects with landscape areas of 1,000 sq. ft. or more, a private submeter(s) to measure landscape water use shall be installed.
(c) At the time of final inspection, the permit applicant must provide the owner of the property with a certificate of completion, certificate of installation, irrigation schedule and a schedule of landscape and irrigation maintenance.

City of Gardena

Gardena City Council Meeting

AGENDA REPORT SUMMARY

Agenda Item No. 13.A
Section: DEPARTMENTAL ITEMS - ELECTED & ADMINISTRATIVE OFFICES
Meeting Date: October 26, 2021

TO: THE HONORABLE MAYOR AND MEMBERS OF THE GARDENA CITY COUNCIL

AGENDA TITLE: ORDINANCE NO. 1835, INTRODUCTION OF AN ORDINANCE CHANGING THE DATE OF THE CITY'S GENERAL MUNICIPAL ELECTION FROM THE FIRST TUESDAY AFTER THE FIRST MONDAY IN MARCH OF EVEN-NUMBERED YEARS TO THE DATE OF STATEWIDE PRIMARY ELECTION IN EVEN-NUMBERED YEARS, IN RESPONSE TO SENATE BILL 970, ADJUSTING TERMS IN OFFICE ACCORDINGLY

COUNCIL ACTION REQUIRED:
Staff Recommendation:

1) Introduce Ordinance 1835, changing the date of the City's general municipal election from the first Tuesday after the first Monday in March of even-numbered years to the date of the statewide primary election in even-numbered years, in response to Senate Bill 970, and adjusting terms in office accordingly; and

2) Appropriate $14,326.00 from the General Fund for the required mailing notices.

RECOMMENDATION AND STAFF SUMMARY:

BACKGROUND

In November 2017, the City Council adopted Ordinance 1782 to change the City's general municipal election from March of odd-numbered years to March of even-numbered years beginning with the election of March 2020, to coincide with the statewide primary election date and thereby comply with SB 415.

Subsequently, in September 2020, the California Legislature adopted SB 970, which changed the date of the statewide primary election to different dates, depending on whether it is a presidential election year. Under SB 970, the statewide primary election will be held in June of even-numbered years without a presidential election, and March of even-numbered years with a presidential election. (Elections Code 1001 and 1201.)

The City's general municipal election can no longer be held in March of years without a presidential election because that is no longer a statewide election date.

DISCUSSION

Proposed Ordinance 1835 would move the City's general municipal election date to the date of the statewide primary election in even-numbered years, beginning in 2022. The effect of this change would be that the City's elections would be held in June of 2022, March of 2024, June of 2026, March of 2028, etc.

By changing the date of the general municipal election to the date of the statewide primary election, it is necessary to extend the terms of incumbents that would have been scheduled for election in March 2022. The Legislature adopted Senate Bill 590 in July 2021 which authorized the extension of these terms to the statewide primary and is a necessary legislative "fix" to a situation created by the Legislature. SB 590 only allows the City of Gardena to move its general municipal election to the 2022 Statewide Primary election (Elections Code 10403.5(b)).

Thus, proposed Ordinance 1835 would also result in a one-time three-month increase in the terms of the Mayor, City Treasurer, City Clerk and those members of the City Council presently serving whose terms would otherwise have expired in March 2022.

If the City Council adopts Ordinance 1835, the City Clerk will transmit a certified copy of the Ordinance to the Clerk of the Los Angeles County Board of Supervisors with a request for approval. The Ordinance does not become operative until approved by the Los Angeles County Board of Supervisors. (Elections Code 1301(b)(1).)

Within 30 days after the Board of Supervisors approves the Ordinance, the City Clerk must mail a notice to all registered voters in Gardena, which is currently 35,615 residents, of the change in election date and effect thereof on elected officials' terms of office. It is estimated that printing and mailing the notice will cost approximately $14,326.00.

FINANCIAL IMPACT/COST:

It is estimated that printing and mailing notice to all Gardena registered voters will cost approximately $14,326.00 from the General Fund.

ATTACHMENTS:

Ordinance No 1835.pdf

APPROVED:



_____

Clint Osorio, City Manager

ORDINANCE NO. 1835

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, CHANGING THE DATE OF THE CITY'S GENERAL MUNICIPAL ELECTION FROM THE FIRST TUESDAY AFTER THE FIRST MONDAY IN MARCH OF EVEN-NUMBERED YEARS TO THE DATE OF THE STATEWIDE PRIMARY ELECTION IN EVEN-NUMBERED YEARS, IN RESPONSE TO SENATE BILL 970; ADJUSTING TERMS IN OFFICE ACCORDINGLY.

WHEREAS, the City of Gardena (" City") was required under Senate Bill 415, which is also known as the California Voter Participation Rights Act (Elections Code 14050-14057), to change the date of the City's general municipal election to coincide with statewide election dates; and

WHEREAS, in November 2017, the Gardena City Council complied with Senate Bill 415 by adopting Ordinance 1782 to consolidate the general municipal election with the statewide primary election to be held in March of even-numbered years beginning in 2020 pursuant to the provisions of the Elections Code, and

WHEREAS, in September 2020, the California Legislature adopted Senate Bill 970, which changed the date of the statewide primary election to the first Tuesday after the first Monday in June of even-numbered years **without** a presidential primary, but kept the date of the statewide primary election as the first Tuesday after the first Monday in March of even-numbered years **with** a presidential primary; and

WHEREAS, the Gardena City Council will remain in compliance with Senate Bill 415 by changing the date of the general municipal election to the date of the statewide primary election of each even- numbered year, although this will result in a different election date depending on the year; and

WHEREAS, by changing the date of the general municipal election to the date of the statewide primary election to align with California Legislature's recent amendments to the date of the statewide primary elections, it is necessary to extend the terms of incumbents that would have been scheduled for election in March 2022. Senate Bill 590 enacted Election Code 1305, effective January 1, 2022, which extends those incumbents' terms to the certification of the June 2022 election results.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, DOES HEREBY ORDAIN, AS FOLLOWS:

SECTION 1. Recitals. The above recitals are true and correct and are incorporated herein by reference.

SECTION 2. Establishment of Election Day. The City Council hereby cancels the March 8, 2022 City of Gardena general municipal election and establishes the date of the statewide primary election in each even-numbered year as the date of the general municipal election in the City of Gardena commencing with the 2022 Statewide Primary election.

SECTION 3. Section 2.24.100 (Date held) of Chapter 2.24 (Elections) of Title 2 (Administration and Personnel) of the Gardena Municipal Code is amended to read, as follows:

Pursuant to the California Elections Code, ~~the city council hereby changes the city's general municipal election from the first Tuesday after the first Monday in March of odd-numbered years to the first Tuesday after the first Monday in March[1] of even-numbered years, with the first such municipal election being held in March 2020~~ and commencing with the 2022 Statewide Primary election, the date of the City's General Municipal Election is moved from the first Tuesday after the first Monday in March of even-numbered years to coincide with statewide primary elections. Said election shall be consolidated with the statewide primary election conducted by Los Angeles County upon the county's approval.

SECTION 4. Adjustment to Terms of Office. In accordance with Elections Code section 1305 (Senate Bill 590), effective January 1, 2022, the terms of office of the Mayor, City Treasurer, City Clerk and those members of the City Council presently serving whose terms would otherwise have expired in March 2022, shall be extended to expire following the certification of election results from the June 2022 general municipal election and the administration of the oath of office the newly elected officeholders.

SECTION 5. Repeal of Section of Prior Ordinance. Section 1 of the City of Gardena's Ordinance 1782 is hereby repealed.

SECTION 6. Operative Date. This ordinance shall become operative upon approval by the Los Angeles County Board of Supervisors as provided by California Elections Code Sections 130l(b)(l) and 10403(a)(l)..

SECTION 7. Notice to Voters. Pursuant to Elections Code section 10403. 5(e), within thirty 930) days after the operative date of this Ordinance, the City Clerk shall cause a notice to be mailed to registered voters of the City of Gardena informing them of the change in the City of Gardena's general municipal election date and the increased terms of the current City of Gardena's elected officials whose terms of office would have been scheduled for election in March 2022 but are now scheduled for election on the date of the statewide primary election in 2022.

SECTION 8. Request to the County. The City Clerk shall forward a copy of this Ordinance to the County Elections Division and Los Angeles County Board of Supervisors with a request that it be approved pursuant to California Elections Code Sections 1301 and 10403.5.

SECTION 9. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase be declared unconstitutional.

SECTION 10. Certification. The City Clerk shall certify the passage of this ordinance and shall cause the same to be entered in the book of original ordinances of said City; shall make a minute passage and adoption thereof in the records of the meeting at which time the same is passed and adopted; and shall, within fifteen (15) days after the passage and adoption thereof, cause the same to be published as required by law, in a publication of general circulation.

SECTION 11. CEQA. The City Council finds that this Ordinance is exempt from CEQA as it does not qualify as a project.

SECTION 12. Effective Date. This ordinance shall not become effective or be in force until thirty (30) days from and after the date of its adoption.

Passed, approved, and adopted this _____ day of _____, 2021.

_____
TASHA CERDA, Mayor

ATTEST:

_____
MINA SEMENZA, City Clerk

APPROVED AS TO FORM:

_____
CARMEN VASQUEZ, City Attorney

City of Gardena

Gardena City Council Meeting

AGENDA REPORT SUMMARY

Agenda Item No. 13.B
Section: DEPARTMENTAL ITEMS - ELECTED & ADMINISTRATIVE OFFICES
Meeting Date: October 26, 2021

TO: THE HONORABLE MAYOR AND MEMBERS OF THE GARDENA CITY COUNCIL

AGENDA TITLE: COVID-19 UPDATE

COUNCIL ACTION REQUIRED:

RECOMMENDATION AND STAFF SUMMARY:

FINANCIAL IMPACT/COST:

ATTACHMENTS:

City of Gardena

Gardena City Council Meeting

AGENDA REPORT SUMMARY

Agenda Item No. 15.A
Section: DEPARTMENTAL ITEMS - PUBLIC WORKS
Meeting Date: October 26, 2021

TO: THE HONORABLE MAYOR AND MEMBERS OF THE GARDENA CITY COUNCIL

AGENDA TITLE: ORDINANCE NO. 1837, REPEALING CHAPTER 8.20 OF THE GARDENA MUNICIPAL CODE, ADOPTING A NEW UPDATED CHAPTER 8.20 AND UPDATING CHAPTER 2.60 OF THE GARDENA MUNICIPAL CODE TO INCORPORATE PROVISIONS OF SENATE BILL 1383 AND REGULATIONS ADOPTED BY CALRECYCLE

COUNCIL ACTION REQUIRED:
Staff Recommendation: Introduce Ordinance No. 1837

RECOMMENDATION AND STAFF SUMMARY:
In September 2016, Governor Brown signed into law Senate Bill 1383 (SB 1383) establishing methane emissions reduction targets representing the next step in California's environmental protection strategy. Methane emissions result from the decomposition of organic waste in landfills and are a substantial source of greenhouse gas emissions. Organic waste such as green materials and food materials are recyclable through composting and mulching, and through anaerobic digestion, which can produce renewable energy and fuel as a by-product. Edible food is recyclable through food recovery programs.

SB 1383 directed the Department of Resources Recycling & Recovery (CalRecycle) to adopt regulations and requirements to achieve state-wide goals including a goal to reduce organic waste disposed in landfills by 75 percent by the year 2025. SB 1383 regulations, effective January 1, 2022, make organic recycling mandatory for all generators of organic waste, including residents, and places the burden on local jurisdictions to enact and enforce ordinances, or other enforceable mechanisms, to comply with all SB 1383 regulations.

Compliance with the regulations requires the City to amend its municipal code by January 1, 2022, to address the new requirements. The code must provide for commercial and residential organics waste collection programs, edible food recovery programs, procurement mechanisms for recycled content products, etc. The City must also provide enforcement of organic waste diversion through education program, inspections and imposition of penalties. However, to provide sufficient time for organics generators to come into compliance with the new requirements, penalties will not be imposed until January 1, 2024.

CalRecycle also has the authority to penalize non-compliant jurisdiction up to $10,000 per day, per violation. However, in recognition that jurisdictions need time to fully implement the new

requirements, so long as the City files a notice of intent to comply along with an implementation plan for phased compliance it can be protected against such fines during calendar year 2022. Penalties may be assessed retroactively if a jurisdiction is found to be non-compliant with the implementation plan included with the notice of intent.

ANALYSIS:

HF&H Consultants, LLC was retained by the City to analyze and recommend updates to the Gardena Municipal Code to incorporate the requirements of SB 1383 by updating Chapter 8.20 (Solid Waster and Recyclable Collection and Disposal), and adding Section 2.60.180 (Recycled-Content Paper Procurement Requirements for City Departments, Direct Service Providers, and Vendors) to Chapter 2.60 (Purchasing System).

Ordinance 1837 presents a substantially revised Chapter 8.20 and an amendment to Chapter 2.60. Its adoption will meet the requirement these provisions be in the municipal code by January 1, 2022.

ENVIRONMENTAL DETERMINATION:

Adoption of this ordinance, which is required by state mandate, is exempt from CEQA, CEQA Guidelines 15061 (c)(3) provides that a project is exempt from CEQA when it is covered by the general rule that CEQA only applies to projects which have the potential for causing a significant effect on the environment and does not apply when it can be seen with certainty that there is no possibility of a significant effect.

CONCLUSION:

Staff respectfully recommends that Council introduce, and on second reading adopt, Ordinance No. 1837.

FINANCIAL IMPACT/COST:

Public Resources Code Section 42652 authorize local jurisdictions to charge and collect fees to recover the costs incurred in complying with the regulations. After enactment of the Ordinance staff will recommend a fee or fees to compensate for these costs.

ATTACHMENTS:

Ordinace No. 1837_Redline Version.pdf
Ordinance_No._1837(1).pdf

APPROVED:



_____

Clint Osorio, City Manager

ORDINANCE NO. 1837

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, REPEALING CHAPTER 18.20 OF THE GARDENA MUNICIPAL CODE, ADOPTING A NEW UPDATED CHAPTER 18.20 AND UPDATING CHAPTER 2.60 OF THE GARDENA MUNICIPAL CODE TO INCORPORATE PROVISIONS OF SENATE BILL 1383 AND REGULATIONS ADOPTED BY CALRECYCLE

WHEREAS, Senate Bill 1383 of 2016 ("SB 1383") added Sections 39730.5, 39730.6, 39730.7, and 39730.8 to the Health and Safety Code, and added Chapter 13.1 (commencing with Section 42652) to Part 3 of Division 30 of the Public Resources Code, establishing methane emissions reduction targets in a statewide effort to reduce emissions of short-lived climate pollutants;

WHEREAS, on November 3, 2020, the Department of Resources Recycling & Recovery (CalRecycle) adopted organic waste reductions regulations contained in Chapter 12 of 14 CCR, Division 7 and amended portions of regulations of 14 CCR and 27 CCR

WHEREAS, the foregoing laws and regulations require that the provisions of the Gardena Municipal Code relating to solid waste be substantially rewritten.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, DOES HEREBY ORDAIN, AS FOLLOWS:

SECTION 1. Chapter 8.20 of the Gardena Municipal Code is hereby repealed in its entirety.

SECTION 2. Chapter 8.20 is hereby adopted and added to the Gardena Municipal Code to read as follows:

Chapter 8.20

SOLID WASTE AND RECYCLABLE COLLECTION AND DISPOSAL

Sections:

8.20.010 Purpose.
8.20.020 Definitions.
8.20.030 Authorization required to collect.
8.20.035 ~~Transfer or processing stations~~Requirements for facility operators and ~~solid waste recovery facilities~~community composting operations.
8.20.040 Licensing.
8.20.050 Revocation and suspension of franchise, license or permit.
8.20.060 Solid waste disposal and diversion.

8.20.065 Special events and venue facility operations.
8.20.070 Solid waste charges – Payment.
8.20.080 Charges – Nonpayment.
8.20.090 Disposal and processing.
8.20.100 Collection vehicles.
8.20.110 Containers/bins.
8.20.120 Other prohibited activities.
8.20.130 Time and frequency of collections.
8.20.140 Noise.
8.20.150 Indemnification and insurance.
8.20.160 Reporting requirements.
8.20.170 ~~Recycling services~~ Collection requirements.
8.20.171 Requirements for residential premises (including multifamily premises with cart service) service generators.
8.20.172 Requirements for commercial premises (including multifamily premises with shared bin service).
8.20.173 Self-hauler requirements.
8.20.174 Waivers for generators.
8.20.180 Violations – Misdemeanors.
8.20.190 Enforcement
8.20.200 Requirements for commercial edible food generators.
8.20.210 Requirements for food recovery organizations and services.
8.20.220 Inspections and investigations by city pertaining to the requirements of SB 1383 contained with the city's municipal code.

8.20.010 Purpose.

The collection and disposal of solid waste is a matter requiring the control and regulation by the city in the manner set forth in this chapter in order to protect the public peace, health, safety and welfare of the citizens. (Ord. 1497 § 1 (part), 1996)

8.20.020 Definitions.

For the purpose of this chapter, unless otherwise apparent from the context, certain words and phrases used in this chapter are defined as set forth below. Words and phrases not ascribed a meaning by this chapter shall have the meaning ascribed by Public Resources Code Section 40105 et seq.

"~~Bin or commercial bin~~ Applicable law" means ~~those containers provided~~ all laws, statutes, rules, regulations, guidelines, permits, actions, dete1minations, orders, or requirements of the United States, state of California, county of Los Angeles, city, regional or local government authorities, agencies, boards, commissions, courts or other bodies having applicable jurisdiction, including AB 939 and SB 1383.

"Back-haul" means generating and transporting source separated recyclable materials and/or source separated organic waste to a destination owned and operated by the

generator using the generator's own employees and equipment, or as otherwise defined in 14 CCR Section 18982(a)(66)(A).

"Bin" means a rigid container with hinged lids and wheels with a capacity of at least one (1) cubic yard and less than ten (10) cubic yards.

"Blue container" has the same meaning as in 14 CCR Section 18982.2(a) and shall be used for ~~temporary accumulation~~the purpose of storage and collection of ~~multifamily/commercial~~source separated recyclable materials.

"Brown container" has the same meaning as in 14 CCR Section 18982.2(a) and shall be used for the purpose of storage and collection of source separated food waste.

"Bulky items" means solid waste that cannot and/or would not typically be accommodated within a cart including specifically: furniture (including chairs, sofas, mattresses, and rugs); and appliances (including refrigerators, ranges, washers, dryers, water heaters, dishwashers, plumbing, small household appliances and other similar items, commonly known as "white goods"); residential wastes (including wood waste, tree branches, scrap wood, debris from ~~multifamily/commercial premises. Bins~~building remodeling, rocks, sod and earth); electronic equipment (including stereos, televisions, computers and monitors, VCRs, microwaves and other similar items commonly known as "brown goods" and "e-waste"); universal waste ("u-waste"), and clothing. Bulky items do not include car bodies, tires, construction and demolition debris or items requiring more than two persons to remove. Other items not specifically included or excluded above will be collected by the solid waste ~~containers with capacity of at least one and one-half cubic yards, compactor bins, compactor boxes and roll-off service boxes.~~collection operator provided that they are not more than eight feet in length, four feet in width, or more than 150 pounds. In the event a question ever arises as to whether a specific item or category of items meets the definition of bulky items, city shall be responsible to determine whether said definition shall apply, which determination shall be final and binding on the parties

~~"~~"California Code of Regulations" or "CCR" means the state of California Code of Regulations. CCR references in this city municipal code are preceded with a number that refers to the relevant Title of the CCR (e.g., "14 CCR" refers to Title 14 of CCR).

"CalRecycle" means the state of California's Department of Resources Recycling and Recovery, and, as this department was structured prior to January 1, 2010, the California Integrated Waste Management Board or CIWMB.

"Cart" means a polyethylene wheeled container with a hinged lid and wheels serviced by an automated or semi-automated truck with a capacity of no less that 30- and no greater than 101- gallons.

"City" means city of Gardena, California, a municipal corporation, and all the territory lying within the municipal boundaries of city.

"City manager" means the city manager of city. The city manager or his or her designee

is the authorized agent of city in enforcing the terms of this municipal code.

"Collect", "collected" or "Collection" shall mean "collection" means to take physical possession, transport, and remove solid waste within and from the city.

" "Commercial collection" means collection from" refers to services performed at or for commercial premises.

"Commercial edible food generators" includes tier one commercial edible food generators and tier two commercial edible food generators, or as otherwise defined in 14 CCR Section 18982(a)(7). For the purposes of this definition, food recovery organizations and food recovery services are not commercial edible food generators.

"Commercial premises" means all premises in the city, upon which business activity is conducted, and any other than premises not defined as residential and multifamily, where solid premises, including but not limited to retail sales, services, wholesale operations, manufacturing and industrial operations, but excluding residential premises upon which business activities are conducted when such activities are permitted under applicable zoning regulations and are not the primary use of the property.

"Composting" or "compost" (or any variation thereof) includes a controlled biological decomposition of organic waste is generated or accumulated and includes all premises used yielding a safe and nuisance free compost product.

"Compostable plastics" or "compostable plastic" means plastic materials that meet the ASTM D6400 standard for industrial purposes compostability.

"Construction and demolition waste or C&D waste" is a solid waste that debris" or "C&D material," means any combination of inert building materials and solid waste resulting from construction, remodeling, repair, cleanup, or demolition operations as defined in California Code of Regulations, Title 22 Section 66261.3 et seq. This term includes, but is a portion of the municipal waste stream defined as:

1. Discarded materials generally considered to be water insoluble and nonhazardous in nature including but not limited to steel, glass, brick, not limited to, asphalt, concrete, asphalt, pipe Portland cement concrete, brick, lumber, gypsum, wallboard, metal, masonry, cardboard, and other associated packaging; roofing material, ceramic tile, carpeting, plastic pipe and steel. The material may be commingled with rock, stone, slate, gravel, soil, or otherwise inert material from the construction or demolition of a structure as part of a construction and/or demolition project or from the renovation of a structure and/or landscaping, and including rocks, soils, trees, brush, and tree stumps; and other vegetative matter that normally results resulting from land clearing, and landscaping and development operations for a construction project.

2. Clean cardboard, construction paper, plastics (including but not limited to sheeting, molding, and shrink wrap), wood, lighting and piping fixtures, and metal scraps from any construction and/or demolition project.

3. Plant materials resulting from construction work when commingled with dirt, rock, and other inert materials.

4. De minimis amounts of other nonhazardous wastes that are generated at construction and demolition or land

development projects~~, provided such amounts are consistent with best management practices of the industry.~~.

“Construction work” means construction, remodeling, repair, demolition or deconstruction of building, other structures, roads, parking lots and similarly paved or covered surfaces.

“Containers” shall mean any and all types of solid waste receptacles, including cans, carts, compactors, bins, roll-off boxes, and customer-provided receptacles.

“Contractor” means any person or entity holding or required to hold a contractor’s license of any type under the laws of the state of California or who performs, whether as a contractor, subcontractor, or building owner, any construction, demolition, remodeling, or landscaping service relating to building or accessory structures in the city.

~~“Diversion” means a reduction in the amount of waste being disposed in landfill by any of the following methods:~~

~~1. Use of new construction method(s) as described by the city that reduces the amount of waste generated.~~

~~2. On-site reuse of waste.~~

~~3. Delivery of waste from the site to a recycling center or salvage or reclamation facility.~~

~~4. Other methods as approved by the City.~~

~~“Food facility” means any operation that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption.~~

“Designated waste” means non-hazardous waste which may pose special disposal problems because of its potential to contaminate the environment, and which may be disposed of only in Class II disposal sites or Class III disposal sites pursuant to a variance issued by the California Department of Health Services. Designated waste consists of those substances classified as designated waste by the state, in California Code of Regulations Title 23, Section 2522 as may be amended from time to time.

“Discarded materials” are a form of solid waste and shall be regulated as such. For purposes of this municipal code, material is deemed to have been discarded, without regard to whether it is destined for recycling or disposal, and whether or not is has been separated from other solid wastes, in all cases where a fee or other compensation, in any form or amount, is directly or indirectly solicited from, or, levied, charged, or otherwise imposed on, or paid by, the generator or customer in exchange for handling services. As used herein, handling services include, without limitation, the collection, removal, transportation, delivery, and processing and/or disposal of the material. Discarded materials do not include edible food that is recovered for human consumption and is not discarded. Discarded materials include source separated recyclable materials, source separated organic waste, food waste, gray/black container waste or mixed waste, and C&D once the materials have been placed in containers for collection.

"Disposal" or “disposed” means the ultimate disposition of solid waste at a landfill or otherwise in full regulatory compliance.

"Divert" or "diversion" (or any variation thereof) means to prevent discarded materials from disposal at landfill or transformation facilities, (including facilities using incineration, pyrolysis, distillation, gasification, or biological conversion methods) through source reduction, reuse, recycling, composting, anaerobic digestion or other method of processing, subsequent to the provisions of AB 939 and SB 1383. Diversion is a broad concept that is to be inclusive of material handling and processing changes that may occur over time including, but not limited to, changes in standard industry practice or implementation of innovative (but not necessarily fully proven) techniques or technology that reduce disposal risk and/or are for other reasons deemed desirable by the city.

"Edible food" means food intended for human consumption, or as otherwise defined in 14 CCR Section 18982(a)(18). For the purposes of this ordinance or as otherwise defined in 14 CCR Section 18982(a)(18), "edible food" is not solid waste if it is recovered and not discarded. Nothing in this ordinance or in 14 CCR, Division 7, Chapter 12 requires or authorizes the recovery of edible food that does not meet the food safety requirements of the California Retail Food Code.

"Electronic waste" or "e-waste" means electronic equipment and includes, but is not limited to, stereos, televisions, computers and computer monitors, VCRs, cellular phones, fax machines, household copiers, computer printers, other items with electric plugs that are banned from landfilling, and other similar items commonly known as "brown goods."

"Enforcement action" means an action of the city to address non-compliance with this ordinance including, but not limited to, issuing administrative citations, fines, penalties, or using other remedies.

"Environmental law" means any federal and state statute, county, local and city ordinance, rule, regulation, order, consent decree, judgment or common-law doctrine, and provisions and conditions or permits, licenses and other operating authorizations relating to (i) pollution or protection of the environment, including natural resources, (ii) exposure of persons, including employees, to hazardous substances or other products, raw materials, chemicals or other substances, (iii) protection of the public health or welfare from the effects of by-products, wastes, emissions, discharges or releases of chemical substances from industrial or commercial activities, or (iv) regulation of the manufacture, use or introduction into commerce of chemical substances, including, without limitation, their manufacture, formulation, labeling, distribution, transportation, handling, storage and disposal.

"Excluded waste " means hazardous substance, hazardous waste, infectious waste, designated waste, volatile, corrosive, medical waste, infectious, regulated radioactive waste, and toxic substances or material that facility operator(s), which receive materials from the city and its generators, reasonably believe(s) would, as a result of or upon acceptance, transfer, processing, or disposal, be a violation of local, state, or federal law, regulation, or ordinance, including: land use restrictions or conditions, waste that cannot be disposed of in Class III landfills or accepted at the facility by permit

conditions, waste that in city, or its designee's reasonable opinion would present a significant risk to human health or the environment, cause a nuisance or otherwise create or expose city, or its designee, to potential liability; but not including de minimis volumes or concentrations of waste of a type and amount normally found in single-family or multi-family solid waste after implementation of programs for the safe collection, processing, recycling, treatment, and disposal of batteries and paint in compliance with Sections 41500 and 41802 of the California Public Resources Code. Excluded waste does not include used motor oil and filters, household batteries, universal wastes, and/or latex paint when such materials are defined as allowable materials for collection through the city's collection programs and the generator or customer has properly placed the materials for collection pursuant to instructions provided by city or its designee for collection services.

"Food distributor" means a company that distributes food to entities including, but not limited to, Supermarkets and Grocery Stores, or as otherwise defined in 14 CCR Section 18982(a)(22).

"Food facility" has the same meaning as in Section 113789 of the Health and Safety Code.

"Food recovery" means actions to collect and distribute edible food for human consumption which otherwise would be disposed, or as otherwise defined in 14 CCR Section 18982(a)(24).

"Food recovery organization" means an entity that primarily engages in the collection or receipt of edible food from commercial edible food generators and distributes that edible food to the public for food recovery either directly or through other entities, including, but not limited to:

A. A food bank as defined in Section 113783 of the Health and Safety Code;

B. A nonprofit charitable organization; and,

C. A nonprofit charitable temporary food facility as defined in Section 113842 of the Health and Safety Code.

If the definition in 14 CCR Section 18982(a)(25) for food recovery organization differs from this definition, the definition in 14 CCR Section 18982(a)(25) shall apply to this municipal code.

"Food recovery service" means a person or entity that collects and transports edible food from a commercial edible food generator to a food recovery organization or other entities for food recovery; or as otherwise defined in 14 CCR Section 18982(a)(26).

"Food scraps" means all food such as, but not limited to, fruits, vegetables, meat, poultry, seafood, shellfish, bones, rice, beans, pasta, bread, cheese, and eggshells. Food scraps excludes fats, oils, and grease when such materials are source separated from other food scraps.

"Food service provider" means an entity primarily engaged in providing food services to institutional, governmental, commercial, or industrial locations of others based on contractual arrangements with these types of organizations, or as otherwise defined in 14 CCR Section 18982(a)(27).

"Food-soiled paper" means compostable paper material that has come in contact with food or liquid, such as, but not limited to, compostable paper plates, paper coffee cups, napkins, pizza boxes, and milk cartons.

"Food waste" means source-separated food scraps, food-soiled paper, and compostable plastics. Food waste is a subset of source separated green container organic waste (source separated organic waste).

"Franchise" means the right and privilege: (1) to make arrangements for the collection of and to collect; (2) to transport to landfills, processing facilities, material recovery facilities, transformation facilities or other licensed solid waste management facilities; and/or (3) to recycle from collected solid waste and recyclable solid wastes all solid waste, including recyclable solid waste and ~~green~~organic waste, kept, generated and/or accumulated within the city. Any franchise is subject to all of the provisions and to any right held by any other solid waste enterprise which may hold rights pursuant to Public Resources Code Section 49520.

"Generator" means any person whose act first causes discarded materials to become subject to regulation under federal, state, or local regulations.

"Good faith effort" means the documented efforts of a franchisee, firm, person, or entity to meet its requirements to divert waste from disposal to the maximum extent practicable as stipulated by its city-approved permit, franchise, plan or other approved mechanism.

~~"~~"Green waste~~"~~" means tree trimmings, wood stumps, grass cuttings, dead plants, leaves, ~~grass clippings, brush and~~ branches ~~generated from landscapes or gardens, separated from other solid waste. "Green waste" includes holiday~~, flowers, plant stocks, and dead trees ~~put out for collection by service recipients, but does~~ (not ~~include stumps or branches exceeding eight~~more than six (6) inches in diameter or ~~six feet~~48 inches in length) and similar materials. Green waste is a subset of organic waste. "Gray/black container" has the same meaning as in 14 CCR Section 18982.2(a) and shall be used for the purpose of storage and collection of gray/black container waste or mixed waste.

"Gray/black container waste" means solid waste that is collected in a gray/black container that is part of a three-container organic waste collection service that prohibits the placement of organic waste in the gray/black container as specified in 14 CCR Sections 18984.1(a) and (b) or as otherwise defined in 14 CCR Section 17402(a)(6.6). Gray/black container waste includes carpet and textiles.

"Green container" has the same meaning as in 14 CCR Section 18982.2(a) and shall be used for the purpose of storage and collection of source separated organic waste.

"Hauler" means any person, commercial or public entity which collects, hauls, or transports solid waste for a fee by use of any means, including, but not limited to, a dumpster truck, roll-off truck, side-load, front-load, or rear-load garbage truck, or a trailer.

~~"Hazardous waste" means any waste materials or mixture of wastes defined as "hazardous substances" or "hazardous wastes" pursuant to the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. Sections 6901 et seq., the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. Sections 96-1 et seq., and all future amendments to either of them, or as defined by the California Integrated Waste Management Board. Where there is a conflict in the definitions employed by two or more agencies having jurisdiction over hazardous or solid waste, the term "hazardous waste" shall be construed to have the broader, more encompassing definition.~~

~~"Multifamily" means those residential establishments containing five or more dwelling units. Multifamily does not include hotels or motels.~~

"Hazardous substance" shall mean any of the following: (a) any substance defined, regulated or listed (directly or by reference) as "hazardous substances", "hazardous materials", "hazardous wastes", "toxic waste", "pollutant" or "toxic substances" or similarly identified as hazardous to human health or the environment, in or pursuant to (i) the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 USC Section 9601, et seq.; (ii) the Hazardous Substances Transportation Act, 49 USC Section 5101, et seq.; (iii) the Resource Conservation and Recovery Act, 42 USC Section 6901, et seq.; (iv) the Clean Water Act, 33 USC Section 1251, et seq.; (v) California Health and Safety Code Sections 25115-25117, 25249.8, 25281, and 25316; (vi) the Clean Air Act, 42 USC Section 7401, et seq.; and (vii) California Water Code Section 13050; (b) any amendments, rules, or regulations promulgated thereunder to such enumerated statutes or acts currently existing or hereinafter enacted; and (c) any other hazardous or toxic substance, material, chemical, waste, or pollutant identified as hazardous or toxic or regulated under any other applicable federal, state, and local environmental laws currently existing or hereinafter enacted, including without limitation, friable asbestos, polychlorinated biphenyl ("PCBs"), petroleum, natural gas and synthetic fuel products, and by-products.

"Hauler route" means the designated itinerary or sequence of stops for each segment of the city's collection service area, or as otherwise defined in 14 CCR Section 18982(a)(31.5).

"High diversion organic waste processing Facility" means a facility that is in compliance with the reporting requirements of 14 CCR Section 18815.5(d) and meets or exceeds an annual average mixed waste organic content recovery rate of 50 percent between January 1, 2022 and December 31, 2024, and 75 percent after January 1, 2025, as calculated pursuant to 14 CCR Section 18815.5(e) for organic waste received from the "mixed waste organic collection stream" as defined in 14 CCR Section 17402(a)(11.5); or, as otherwise defined in 14 CCR Section 18982(a)(33).

"Household hazardous waste" or "HHW" means material used in residences that may threaten human health or the environment when improperly discarded and usually has

one or more of the following characteristics; flammable, toxic, corrosive, and/or reactive.

"Incompatible material" or "incompatibles" mean(s) human-made inert material, including, but not limited to, glass, metal, plastic, and also includes organic waste that the receiving end-user, facility, operation, property, or activity is not designed, permitted, or authorized to perform organic waste recovery activities as defined in 14 CCR Section 18983.1(b), or as otherwise defined by 14 CCR Section 17402(a)(7.5).

"Large event" means an event, including, but not limited to, a sporting event or a flea market, that charges an admission price, or is operated by a local agency, and serves an average of more than 2,000 individuals per day of operation of the event, at a location that includes, but is not limited to, a public, nonprofit, or privately owned park, parking lot, golf course, street system, or other open space when being used for an event. If the definition in 14 CCR Section 18982(a)(38) differs from this definition, the definition in 14 CCR Section 18982(a)(38) shall apply to this municipal code.

"Large venue" means a permanent venue facility that annually seats or serves an average of more than 2,000 individuals within the grounds of the facility per day of operation of the venue facility. For purposes of 14 CCR, Division 7, Chapter 12, a venue facility includes, but is not limited to, a public, nonprofit, or privately owned or operated stadium, amphitheater, arena, hall, amusement park, conference or civic center, zoo, aquarium, airport, racetrack, horse track, performing arts center, fairground, museum, theater, or other public attraction facility. For purposes of 14 CCR, Division 7 Chapter 12, a site under common ownership or control that includes more than one large venue that is contiguous with other large venues in the site, is a single large venue. If the definition in 14 CCR Section 18982(a)(39) differs from this definition, the definition in 14 CCR Section 18982(a)(39) shall apply to this municipal code.

"Materials recovery facility" means a permitted solid waste facility where solid wastes or recyclable materials are sorted or separated for the purposes of recycling, processing or composting.

"Mixed waste organic collection stream" or "mixed waste" means organic waste collected in a container that is required by 14 CCR Sections 18984.1, 18984.2, or 18984.3 to be taken to a high diversion organic waste processing facility, or as otherwise defined in 14 CCR Section 17402(a)(11.5). "Mixed waste" means mixed waste organic collection stream.

"Mulch" means a layer of material applied on top of soil, and, for the purposes of this municipal code, mulch shall conform with the following conditions, or conditions as otherwise specified in 14 CCR Section 18993.1(f)(4):

A. Meets or exceeds the physical contamination, maximum metal concentration, and pathogen density standards for land applications specified in 14 CCR Section 17852(a)(24.5)(A)(1) through (3).

B. Was produced at one or more of the following types of Facilities:

1. A compostable material handling operation or facility as defined in 14 CCR Section 17852(a)(12), that is permitted or authorized under Division 7 of Title 14 of the CCR, other than a chipping and grinding operation or facility as defined in 14 CCR Section 17852(a)(10);

2. A transfer/processing facility or transfer/processing operation as defined in 14 CCR Section 17402(a)(30) and (31), respectively, that is permitted or authorized under 14 CCR, Division 7, Chapter 12; or,

3. A solid waste landfill as defined in PRC Section 40195.1 that is permitted under 27 CCR, Division 2.

"Multi-unit residential premises" means any building and/or structure, or portion thereof, in city, which is used for residential housing purposes, irrespective of whether residents are transient, temporary or permanent, and having five (5) or more self-contained living units. "Non-compostable paper" includes, but is not limited to, paper that is coated in a plastic material that will not breakdown in the composting process, or as otherwise defined in 14 CCR Section 18982(a)(41).

"Non-organic recyclables" means non-putrescible and non-hazardous recyclable wastes including, but not limited to, bottles, cans, metals, plastics, and glass, or as otherwise defined in 14 CCR Section 18982(a)(43). Non-organic recyclables are a subset of source separated recyclable materials.

"Nonseparated solid waste" means that solid waste which may contain recyclable materials which have not been source separated by the customer.

"Operator" means a person authorized by the city, pursuant to this chapter, to operate a disposal site, transfer station or processing ~~station~~facility or collection system within the city, including those persons authorized by Public Resources Code Section 49520. "Operators" are city-authorized haulers.

~~"Organic waste" means food waste, green waste, landscape and pruning waste, nonhazardous wood waste, and food soiled paper waste that is mixed in with food waste.~~

~~"~~"Organic waste" means solid wastes containing material originated from living organisms and their metabolic waste products including, but not limited to, food, green waste, organic textiles and carpets, lumber, wood, paper products, printing and writing paper, manure, biosolids, digestate, and sludges, or as otherwise defined in 14 CCR Section 18982(a)(46). Biosolids and digestate are as defined in 14 CCR Section 18982(a)(4) and 14 CCR Section 18982(a)(16.5), respectively.

"Person~~"~~" means ~~an~~any individual, firm, association, organization, partnership, corporation, ~~property owner, occupant, tenant or any other entity or enterprise.~~

~~"Post collection diversion programs" means those diversion efforts that do not require pre-collection separation, but rather depend upon~~business trust, joint venture, the ~~processing of mixed refuse at a permitted transfer station and/or materials recovery facility. In this case, commercial and industrial premises are allowed to place all~~

recyclable and nonrecyclable wastes in United States, the same container, and state of California, the franchised solid waste hauler hauls the mixed refuse to an approved facility for recoverycounty of recyclable wastes. The approved facility must meet a minimum of fifty percent recovery of the recyclable fraction.Los Angeles, towns, cities, and special purpose districts.

“Pre-collection diversion programs” means those diversion efforts that involve separation of recyclables from refuse by the commercial and/or industrial premises, and storage in a separate container for collection by solid waste franchisees and/or third--party recyclers for recycling or reuse. No third--party recyclers may charge or levy a fee for collection; but no law shall prohibit the sale or donation of recyclables to a third party. Any recyclable wastes for collection by a third party cannot contain more than ten percent disposable residue by weight.

"Premises" means any land or building in city where solid waste is generated or accumulated.

“Process”, “processed” or “processing” means the controlled separation, recovery, volume reduction, conversion, or recycling of solid waste including, but not limited to, organized, manual, automated, or mechanical sorting, the use of vehicles for spreading of waste for the purpose of recovery, and/or includes the use of conveyor belts, sorting lines, or volume reduction equipment, or as otherwise defined in 14 CCR Section 17402(a)(20).

“Prohibited container contaminants” means the following: (i) discarded materials placed in the blue container that are not identified as acceptable source separated recyclable materials; (ii) discarded materials placed in the green container that are not identified as acceptable source separated green container organic waste; (iii) discarded materials placed in the brown container that are not identified as acceptable source separated brown container food waste; (iv) discarded materials placed in the gray/black container that are acceptable source separated recyclable materials, source separated green container organic waste, and/or source separated brown container food waste, to be placed in green containers, brown containers, and/or blue containers; and (iv) excluded waste placed in any container.

“Recyclable materials” shall mean residential, commercial or industrial source separated means materials, by-products of some potential economic value,, or components of such materials set aside, handled, packaged, or offered for collection in a manner different from other solid waste for the purpose of recycling.

“Recyclable solid waste” means recyclable materials which have been source separated before having been discarded into the solid waste stream. Recyclable solid waste is a part of the solid waste stream which can be reused or processed into a form suitable for reuse through reprocessing or remanufacture.

“Recycle” or “Recycling” means the process of collecting, sorting, cleansing, treating, and reconstitutingreconfiguring materials that would otherwise become solid waste andfor the purpose of returning them to the economic mainstream in the form of raw material for new,

reused, or reconstituted products which meet the quality standards necessary to be used in the marketplace.

Recycling includes processes deemed to constitute a reduction of landfill disposal pursuant to 14 CCR, Division 7, Chapter 12, Article 2. Recycling does not include gasification or transformation as defined in Public Resources Code Section 40201.

"Recycling container" means anyshall have the same meaning as blue container, green container, and/or brown container for the temporary accumulation and collection of source separated recyclable solid wastes. The term "recycling container" also includes commercial bins or any other containers designed to be used for collection and temporary accumulation or recyclable solid wastes.and organic waste.

"Residential collection" means collection from residential premises.

"Residential premises" means all"Refuse" means solid waste as defined in California Public Resources Code, Division 30, Part 1, Chapter 2, §40191 and regulations promulgated hereunder. Excluded from the definition of refuse are excluded waste, C&D, source separated recyclable materials, source separated organic waste, and radioactive waste. Notwithstanding any provision to the contrary, refuse may include de minimis volumes or concentrations of waste of a type and amount normally found in residential refuse after implementation of programs for the safe collection, recycling, treatment, and disposal of household hazardous waste in compliance with Section 41500 and 41802 of the California Public Resources Code as may be amended from time to time. Solid waste includes salvageable materials only when such materials are included for collection in a refuse container not source separated from refuse at the site of generation.

"Renewable natural gas" or "RNG" means gas derived from organic waste that has been diverted from a landfill and processed at an in-vessel digestion facility that is permitted or otherwise authorized by 14 CCR to recover organic waste, or as otherwise defined in 14 CCR Section 18982(a)(62).

"Residential" refers to services performed at and for residential premises, which include both single-family residential units,unit and multi-unit residential units of two to four units, and trailer and mobile home parks which use individual containers for premises.

"Residential collection" means collection from residential premises.

"Residential premises" means premises upon which dwelling units exist, including, without limitation, single-unit and multi-unit residential premises, apartments, boarding or rooming houses, condominiums, mobile homes, efficiency apartments, and second units. Notwithstanding any provision to the contrary herein, in the Gardena municipal code, premises upon which the following uses are occurring shall not be deemed to be residential premises, and rather shall be deemed to be commercial premises: assisted living facilities, convalescent homes, dormitories, extended stay motels, group residential facilities, group care facilities, hotels, motels, and any other businesses not specifically listed at which residency is transient in nature and hence should be

classified as commercial premises as determined by city on a case by case basis.

"Roll-off box" means solid waste collection containers of 10-yards or larger.

"Roll-off service" means those commercial bins supplied by operator for the temporary storage of solid waste resulting from temporary activities on a premise, such as the demolition or construction of a building.

"Scavenging" shall mean the uncontrolled pickup of solid waste from any location within the city by an unauthorized collector.

~~"Self-haulers" means a business or person that transports its own waste and/or recyclables rather than contracting with a hauler for that service. Self-haulers include, but are not limited to, roofers, demolition contractors, grading contractors, gardeners, and landscape contractors.~~

~~"Solid waste" means all types of solid waste, including green waste and recyclable solid waste, as more specifically defined in Public Resources Code Section 49503, as the same may be amended from time to time. Solid waste does not include hazardous waste, low-level radioactive waste or medical waste.~~

"SB 1383" means Senate Bill 1383 of 2016 approved by the Governor on September 19, 2016, which added Sections 39730.5, 39730.6, 39730.7, and 39730.8 to the Health and Safety Code, and added Chapter 13.1 (commencing with Section 42652) to Part 3 of Division 30 of the Public Resources Code, establishing methane emissions reduction targets in a statewide effort to reduce emissions of short-lived climate pollutants as amended, supplemented, superseded, and replaced from time to time. For the purposes of this municipal code, SB 1383 specifically refers to the Short-Lived Climate Pollutants (SLCP): organic waste reductions regulations developed by CalRecycle and adopted on November 3, 2020 that created Chapter 12 of 14 CCR, Division 7 and amended portions of regulations of 14 CCR and 27 CCR.

"Self-hauler" means a person, who hauls solid waste, organic waste or recyclable material they have generated to another person. Self-hauler also includes a landscaper, or a person who back-hauls waste. Back-haul means generating and transporting recyclable materials or organic waste to a destination owned and operated by the generator using the generator's own employees and equipment, or as otherwise defined in 14 CCR Section 18982(a)(66)(A).

"Single-unit residential premises" means each premises used for or designated as a single-unit residential dwelling, including each unit of a condominium project, duplex, triplex, townhouse, apartment building, or mobile home park in which each premises receives individual solid waste collection service using carts and consists of four (4) dwelling units or less per legal parcel.

"Solid waste" means all discarded putrescible and non-putrescible solid, semisolid, and liquid wastes, including refuse, construction and demolition debris, bulky items, recyclable materials, and organic waste, or any combination thereof which are permitted to be disposed of in a Class III landfill, and which are included in the definition of "non-hazardous solid waste" set forth in the California Code of Regulations. "Solid waste"

means all solid wastes generated by residential, commercial, and industrial sources, and all solid waste generated at construction and demolition sites, and at treatment works for water and wastewater, which are collected and transported under the authorization of the city or are self-hauled by generators. Solid waste does not include agricultural crop residues, mining waste and fuel extraction waste, forestry wastes, ash from industrial boilers, furnaces and incinerators or hazardous substance, any waste which is not permitted to be disposed of at a Class III landfill and which fall within the definition of "nonhazardous solid waste" set forth in Title 23, Chapter 15, Section 2523(a) of the California Code of Regulations as amended or designated Class II wastes.

"Source separated" means materials, including commingled recyclable materials, that have been separated or kept separate from the solid waste stream, at the point of generation, for the purpose of additional sorting or processing of those materials for recycling or reuse in order to return them to the economic mainstream in the form of raw material for new, reused, or reconstituted products which meet the quality standards necessary to be used in the marketplace, or as otherwise defined in 14 CCR Section 17402.5(b)(4). For the purposes of this municipal code, source separated shall include separation of materials by the generator, property owner, property owner's employee, property manager, or property manager's employee into different containers for the purpose of collection such that source separated materials are separated from gray/black container waste/mixed waste and other solid waste for the purposes of collection and processing.

"Source separated blue container organic waste" or "blue container waste" means source separated organic waste that can be placed in a blue container that is limited to the collection of those organic wastes and non-organic recyclables as defined in 14 CCR Section 18982(a)(43); or as otherwise defined by 14 CCR Section 17402(a)(18.7). Source separated blue container organic waste is a subset of organic waste.

"Source separated brown container waste" means source separated food waste that can be placed in a brown container that is specifically intended for the separate collection.

"Source separated green container waste" means source separated organic waste that can be placed in a green container that is specifically intended for the separate collection of organic waste by the generator, excluding source separated blue container organic waste, carpets, non-compostable paper, and textiles. Source separated green container organic waste is a subset of organic waste.

"State" means the state of California.

"State required percentage" in relation to the diversion of construction and demolition waste means that percentage of diversion required by Part 11, California Green Building Standards Code, as adopted by the city of Gardena.

"Tier one commercial edible food generator" means a commercial edible food generator

that is one of the following, each as defined in 14 CCR Section 18982:

A. Supermarket.

B. Grocery store with a total facility size equal to or greater than 10,000 square feet.

C. Food service provider.

D. Food distributor.

E. Wholesale food vendor.

If the definition in 14 CCR Section 18982(a)(73) of tier one commercial edible food generator differs from this definition, the definition in 14 CCR Section 18982(a)(73) shall apply to this municipal code.

"Tier two commercial edible food generator" means a commercial edible food generator that is one of the following, each as defined in 14 CCR Section 18982:

A. Restaurant with 250 or more seats, or a total facility size equal to or greater than 5,000 square feet.

B. Hotel with an on-site food facility and 200 or more rooms.

C. Health facility with an on-site food facility and 100 or more beds.

D. Large venue.

E. Large event.

F. A state agency with a cafeteria with 250 or more seats or total cafeteria facility size equal to or greater than 5,000 square feet.

G. A local education agency with an on-site food facility.

If the definition in 14 CCR Section 18982(a)(74) of tier two commercial edible food generator differs from this definition, the definition in 14 CCR Section 18982(a)(74) shall apply to this municipal code.

"Transfer station or processing ~~stations and~~ facilities" means those facilities utilized to receive solid wastes, temporarily store, separate, convert, or otherwise process the materials in the solid waste, or to transfer the solid waste directly from smaller to larger vehicles for transport, and those facilities utilized for transformation.

"Universal waste" or "u-waste" means any of the following waste that are conditionally exempt from classification as hazardous wastes pursuant to Title 22 of the California Code of Regulations (22 CCR), § 66261.9: (i) batteries as described in 22 CCR § 66273.2; (ii) thermostats as described in 22 CCR § 66273.4; (iii) lamps as described in 22 CCR § 66273.5; and (iv) cathode rate tube materials as described in 22 CCR §

66273.6.

"Vehicle" or "collection vehicle" means any truck, trailer or other conveyance or equipment including bins, used to collect, haul or transport solid waste or recyclable material.

"Waste stream" means any solid waste or other material which has been entered into a process whereby its ultimate disposition results in depository into a certified landfill. (Ord. 1797 § 1, 2018; Ord. 1653 § 1, 2004; Ord. 1649 § 2, 2003; Urg. Ord. 1648 § 2, 2003; Ord. 1497 § 1 (part), 1996)

8.20.030 Authorization required to collect.

No person shall collect, carry, convey or transport solid waste from or at any location within the city, unless such person is authorized to do so by a franchise granted by the council pursuant to subsection A of this section, or is otherwise exempt from the franchise requirement pursuant to subsection B of this section.

A. The council may award one or more franchises, for the collection of solid wastes from all or a portion of the residential and commercial premises in the city. Franchises shall be granted on such terms and conditions as the council shall establish in its sole discretion. At a minimum, franchises shall provide:

1. The franchisee shall comply with the provisions of this chapter;

2. The franchisee shall be required to protect, defend, indemnify and hold the city harmless from any liability, on a form provided by the city attorney in connection with granting of this franchise;

3. The franchisee shall be required to cooperate with the city in solid waste generation studies and the preparation of waste stream audit, and to submit information required by city to meet the reporting requirements of AB 939 and SB 1383 and to implement measures consistent with the city's source reduction and recycling element in order for the city to reach the diversion and other goals mandated by the California Integrated Waste Management Act of 1989, (AB 939) and the Short-Lived Climate Pollutants (SLCP): Organic Waste Reductions regulations (SB 1383), as it may be amended from time to time;

4. The franchisee shall be required to pay a franchise fee in an amount to be determined by ordinance or resolution of the council; and

5. The franchisee shall not transfer, sell, sublet or assign the franchise, nor shall any of the rights or privileges therein be leased, assigned, sold in whole or in part, nor shall title thereto, either legal or equitable, or any right, interest or property therein, pass to or vest in any person, either by act of the franchisee or otherwise, unless authorization for such transfer, sale, subletting or assignment is obtained from the council.

B. Franchisees, permittees, and licensees providing residential, multifamily, commercial, or industrial organic waste collection services to generators within the city's boundaries shall meet the following requirements and standards as a condition of approval of a contract, agreement, or other authorization with the city to collect organic waste:

1. Through written notice to the city annually on or before January 1, 2022 identify the facilities to which they will transport organic waste including facilities for source separated recyclable materials, source separated blue container organic waste, source separated green container organic waste, source separated brown container waste, and mixed waste.

2. Transport source separated recyclable materials, source separated blue container organic waste, source separated green container waste, source separated brown container waste, and mixed waste to a facility, operation, activity, or property that recovers organic waste as defined in 14 CCR, Division 7, Chapter 12, Article 2.

3. Obtain approval from the city to haul organic waste, unless it is transporting source separated organic waste to a community composting site or lawfully transporting construction and demolition debris in a manner that complies with 14 CCR Section 18989.1, and the Gardena Municipal Code.

C. Franchisees, permittees, and licensees authorized to collect organic waste shall comply with education, equipment, signage, container labeling, container color, contamination monitoring, reporting, and other requirements contained within its franchise agreement, permit, license, or other agreement entered into with city. D. Exceptions. Notwithstanding subsection A of this section, a person may collect solid waste in the city without a franchise if that person:

1. ~~*Repealed*~~Is an officer, employee or agent of the city in the course of official duty;

~~2. Is an officer, employee or agent of the city in the course of official duty;~~

~~3~~2. Is the owner or occupant of any premises within the city; provided, that the owner or occupant may transport only solid waste generated on the premises to a site where disposal or processing is permitted pursuant to applicable law and only on an occasional basis; or

~~4. Is a self-hauler, provided they comply with the provisions of this subsection~~3. Is a self-hauler, provided they comply with the provisions of section 8.20.173.

8.20.035 Requirements for facility operators and community composting operations.

~~. Self-haulers shall obtain a city self-hauler permit and operate in accordance with this chapter. In order to obtain the permit, the self-hauler shall pay the fee established by resolution of the city council. Self-haulers are only permitted to collect, transport and dispose of solid waste generated by the self-hauler. Under no~~

circumstances may a self-hauler collect, transport or dispose of solid waste not generated by the self-hauler. Notwithstanding any other provision of this chapter, self-haulers shall not be permitted to share, place solid waste in, or to otherwise use the bin, cart, roll-off box, or other container of another person or business. (Ord. 1797 § 2, 2018: Ord. 1497 § 1 (part), 1996)

8.20.035 Transfer or processing stations and solid waste recovery facilities.

A. No person shall operate a transfer or processing station or processing facility, a material recovery facility or any other facility covered under the provisions of the Public Resources Code Section 40100 through Section 44017, from or at any location within the city, unless such person is authorized to do so by a franchisehost agreement granted by the council pursuant to subsection B of this section.

B. The council may award one or more franchiseshost agreements, for the operation of a transfer station or processing stationfacility, material recovery facility, or other facility covered under the provisions of the Public Resources Code Section 40100 through Section 44017.

C. The franchisefacility operator/owner shall comply with the provisions of this chapter, SB 1383, as well as those provisions set forth in the Public Resources Code.

D. The franchisefacility operator/owner shall be required to pay a franchisehost fee in an amount to be determined by resolution or ordinance of the council.

E. All facilities subject to the provisions of this chapter shall be subject to the issuance of a conditional use permit as specified in Title 18 of the Gardena Municipal Code.

F. Each person who, on the effective date of the ordinance enacting this chapter, is conducting a business under an existing license or permit issued by the city that is now required by this section to obtain a franchise,host agreement shall be required to obtain a franchisedo so on or before suchthe effective date of the ordinance enacting this provision or at such later date as may be established by resolution of the city council. (Ord. 1497 § 1 (part), 1996)

Owners of facilities, operations, and activities that recover organic waste, including, but not limited to, compost facilities, in-vessel digestion facilities, and publicly-owned treatment works shall, upon city request, provide information regarding available and potential new or expanded capacity at their facilities, operations, and activities, including information about throughput and permitted capacity necessary for planning purposes. Entities contacted by the city shall respond within 60 days.

H. Community composting operators, upon city request, shall provide information to the city to support organic waste capacity planning, including, but not limited to, an estimate of the amount of organic waste anticipated to be handled at the community composting operation. Entities contacted by the city shall respond within 60 days.

8.20.040 Licensing.

Each operator exercising rights under this chapter, in addition to obtaining a franchise from the council, shall possess a current city business license and shall display a current city-issued decal on each collection vehicle operating within the city. (Ord. 1497 § 1 (part), 1996)

8.20.050 Revocation and suspension of franchise, license or permit.

A. Any franchise issued under the provisions of this chapter is subject to revocation or suspension for cause.

B. Should the city manager determine that there is sufficient reason to authorize the suspension or revocation of a franchise, the city manager shall revoke or suspend the franchise by issuing a written order to the operator clearly stating the reasons for such suspension or revocation.

1. Unless the operator supplies proof of correction to the city manager within ten daysthe timeframes more fully described in any executed agreement entered into between the city and operator, and dependent upon the nature of the written order,action the permit or franchise may be revoked or suspended by the city manager. For actions that may be cured within fifteen days after the mailing of such order. Thea timeframe subject to a written order, the order shall be mailed by certified mail to the operator.

2. Should any franchise be revoked or suspended in accordance with this chapter, said operator shall have the right to appeal the decision to the council by means of a written request made within fifteen calendar days of the effective date of the suspension or revocation. All requests shall be mailed by certified mail to the city. The decision of the council shall be final.

3. Should a franchise issued to an operator be revoked, said operator shall not be issued a franchise to collect solid waste within the city until such time as the operator is able to demonstrate to the satisfaction of the council that the operator is able to comply with all of the provisions of this chapter.

4. The rights of an operator pursuant to Section 8.20.030(B)(1) may be suspended or revoked by the city pursuant to the procedures set forth in this section or as described in any executed agreement entered into between the city and operator. (Ord. 1497 § 1 (part), 1996)

8.20.060 Solid waste disposal and diversion.

A. Residential and Multifamily Premisesmultifamily premises. Each owner and each occupant of residential and multifamily premises shall dispose of solid waste through the services of a city-authorized waste hauler.

1. Residential Services. For design and planning purposes, all residential structures

shall include adequate storage capacity to accommodate three standard ninety-six-gallon roll-out carts per unit.

2. Multifamily Dwellings. Consisting of five or more units with once-a-week collection provide fifty gallons or one-quarter cubic yard (cy) of container capacity for each bedroom. The bins shall be allocated based on the following proportions: forty percent for refuse; forty percent for recyclables; and twenty percent for organicsFor design and planning purposes, where 5 or more multifamily dwelling units are constructed on a building site, provide readily accessible area(s) that serves all buildings on the site and are identified for the depositing, storage and collection of nonhazardous materials for recycling, including (at a minimum) paper, corrugated cardboard, glass, plastics, organic waste, and metals, or meet another local ordinance, if more restrictive.

B. Commercial Premisespremises. Each owner and each occupant of a commercial premises shall dispose of solid waste through the services of a city-authorized waste hauler.

1. The size of the bin shall be dependent on the use or uses on the commercial premises and the frequency of services.

2. Service levels and the number of containers and enclosures required shall be based on Table 1 belowFor design and planning purposes, provide readily accessible areas that serve the entire building and are identified for the depositing, storage and collection of non-hazardous materials for recycling, including (at a minimum) paper, corrugated cardboard, glass, plastics, organic waste, and metals or meet another local ordinance, if more restrictive.

3. Businesses including shopping centers with multiple businesses that generate four cubic yards of organic waste per week shall arrange for organic waste recycling services.

Table 1

LAND USE	SIZE OF BIN
COMMERCIAL PREMISES	
Office Buildings	1.00 CY/5,000 SF/Day
Supermarkets	1.00 CY/1,250 SF/Day
Drugstores/Convenience Stores	1.00 CY/2,000 SF/Day
Banks/Financial Institutions	0.25 CY/1,250 SF/Day
Shopping Center	1.00 CY/2,000 SF/Day
Vehicle/Appliance/Furniture Stores	4.00 CY/8,000 SF/Day
Restaurants/Food Service Establishments	1.00 CY/250 Meals/Week – at least 50% of volume must be for organics
Hotels/Motels (food service in	0.25 CY/Room/Week

LAND USE	SIZE OF BIN
hotels/motels will be separately calculated)	
INDUSTRIAL/ MANUFACTURING	
Auto Repair/Lube Shop	4.00 CY/8,000 SF/Day
Warehouse	4.00 CY/30,000 SF/Day
Multi-Tenant Industrial Park	4.00 CY/2 Tenants/Day
Single Occupancy Industrial Use	4.00 CY/8,000 SF/Day
INSTITUTIONS	
Nursing Homes	1.00 CY/20 Persons/Day
Retirement Homes	1.00 CY/20 Persons/Day
Personal Care/Assisted Living	1.00 CY/20 Persons/Day
SCHOOLS	
Grade School	1.00 CY/8 Rooms/Day
High School	1.00 CY/10 Rooms/Day
Adult Training	Audit Required

C. Self-Haulers. Persons disposing of solid waste pursuant to the exceptions contained in Section 8.20.030(B) shall deposit such solid waste only at a lawfully permitted disposal or green waste facility.

D. Self-haulers and owner/occupants of any premises undergoing construction projects shall be required to report to the city the type, quantity, value, weight, and destination of all solid waste, green waste and recyclable material removed and/or disposed of on forms provided by the city.

EC. All construction and demolition projects are subject to a waste diversion performance standard in the percentage amount required by the state of the total wastes generated. Waste diversion is calculated by dividing the total weight of waste diverted by the total weight of waste generated. Documentation of waste diversion, disposed and generated, must be based solely upon weight receipts or other documentation as approved by the city and based on approved guidelines or protocol of the California Integrated Waste Management BoardCalRecycle and CalGreen. Each construction and demolition project for which a building and/or demolition permit is applied for and approved must achieve the waste diversion performance standard or show a good faith effort to achieve that standard.

FD. Diversion Deposit Requirement. As a condition precedent to issuance of any permit for a building or demolition project that involves the production of solid waste that may be delivered to a landfill and/or processing facilities, the applicant shall post a cash deposit in an amount in accordance with the scale set in Section 8.20.070(C), and shall pay an administrative fee set forth in Section 8.20.070(D). The deposit is refundable in whole, if the state required percentage of waste diversion requirement is fulfilled, or partially, if the diversion requirement is fulfilled in part, or a good faith effort to comply is documented, or the city exempts the project from this requirement based on extenuating circumstances, infeasibility, or emergency. Any deposit for which a refund request has not been timely received, and the balance of deposits remaining after a partial refund, shall be retained by the city for use in paying the cost of waste diversion efforts. The city shall be the sole authority to determine the extent of refund based on the following criteria:

1. A full refund based on a deposit erroneously paid or collected.

2. A full refund when a building permit is withdrawn or cancelled before any work has begun.

3. A full refund, not including the administrative fee, when the state required percentage by weight of the waste generated by the project was diverted from disposal.

4. A partial refund, not including the administrative fee, when less than the state required percentage by weight of the waste generated was diverted from disposal and a good faith effort to conform to the requirement is documented, pro-rated on the basis of the percent of diversion attained.

5. No refund in whole or part shall be authorized unless, within twelve months of the receipt of the certificate of occupancy for the construction or demolition project, or within twelve months of the date that the permit application is withdrawn or cancelled on a project on which work has begun, the original building permit applicant files a written request for refund and provides documentation satisfactory to the city in support of the request.

6. Demolition and construction projects less than fifty thousand dollars are exempt from the C&D deposit requirements, but not exempt from recycling reporting requirements.

GE. Requirement for Collection of C&D Wastes. All construction and demolition waste as defined by this chapter that result from construction work shall be collected by a solid waste collection enterprise duly authorized by the city of Gardena. No C&D wastes can be carted by a nonauthorized firm or individual unless the materials carted are recyclable solid waste as defined by this chapter, and collected without fee, or sold or donated by the owner/occupant. One hundred percent of organic waste and recyclable materials must be diverted. One hundred percent of asphalt, concrete, dirt and rock must be diverted.

HF. All commercial and industrial premises are hereby required to implement either a pre-collection or post-collection diversion system, or a combination thereof, as this chapter defines each. Pre-collection systems may be implemented with an independent third party or with the solid waste collection franchisee; but under no circumstances may the independent third party charge a fee for the service. Post-collection systems shall only be implemented with a solid waste collection franchisee. Notwithstanding the requirements of this chapter, commercial and industrial premises may sell or donate materials to any firm or agency in accordance with state law. (Ord. 1797 § 4, 2018: Ord. 1741 § 1, 2012; Ord. 1649 § 3, 2004; Urg. Ord. 1648 § 3, 2003; Ord. 1497 § 1 (part), 1996)

8.20.065 Special events and venue facility operations.

A. Special Events. Any applicant seeking permission for the temporary or periodic use or occupancy of a public street, publicly owned site or facility, or public park within the city for a civic, commercial, recreational, or social event that requires a city permit which generates solid waste such as, but not limited to, paper, beverage containers, or food shall develop a waste reduction and recycling strategy approved by the city of Gardena as part of the permit application. The waste reduction and recycling strategy shall include an estimate of the amount and types of waste anticipated from the event, proposed actions to reduce the amount of waste generation related to the event, and arrangements for separation, collection and diversion from landfills of reusable and recyclable materials. For large venues and special events of more than one thousand persons, the applicant shall ensure the implementation of the waste reduction strategy by the deposit to be determined by the city, which shall be refunded upon presentation within sixty days of the event of a weight or cubic yardage receipt for the recyclables from the receiving waste hauler, service charity, recycling center, or other such entity verifying that the materials will not be disposed in a landfill and a description of all other steps taken to reduce or prevent waste generated as a result of the event. Alternative documentation of diversion from the landfill may be acceptable if approved at the time of permit application.

B. Venue Facility Operations.

1. All venue facilities such as, but not limited to, stadiums, museums, concert halls, and parks and attractions located within the city shall separate and arrange for recycling all materials on the city's list of commercial recyclables. In addition, the facility shall prepare and adopt a waste prevention strategy approved by the city of Gardena to reduce the amount of waste material generated by facility operations. Where a venue facility owner provides space for a tenant, event management subcontractor, or permitted use of the facility, that owner shall also be responsible for the recycling and waste prevention performance of the facility user. In fulfillment of this requirement, venue waste generators may utilize, but are not limited to, drop-off and buy-back centers, independent recyclers, nonprofit social and charitable service organizations, or the recycling services of a city approved waste contract collector.

2. Any venue facility must participate in the recycling services offered by city approved waste contract collectors and may be subject to periodic waste audits. In addition, at the request of the city, venue facilities not participating in the recycling services offered by city approved waste contract collectors or found to not be implementing their waste reduction strategy shall submit to the city, at their own expense, annual reports which provide information on, but are not limited to, the waste prevention policies being implemented, and the type, amount, and destination of all solid waste disposed and each recyclable material sold or donated. The city may exempt certain venue facility generators from some of the requirements of this Section because they do not generate significant amounts of solid waste or recyclables at a particular event, or because of localized market conditions for a particular recyclable material.

C. Venue Facility Design, Construction ~~And~~and Demolition.

1. All construction, demolition, and renovation (C&D) projects within the ~~City~~city at venue facilities such as stadiums, museums, concert halls, and parks and attractions are subject to all of the requirements of the ~~City's Construction and Demolition (~~city's C&D~~)~~ Waste Diversion program, in accordance with Gardena ~~Municipal Code~~municipal code section 8.20 and shall submit a Waste Management Strategy (Strategy) to the ~~City~~city prior to beginning any construction, demolition, or renovation activities. Compliance with the provisions of this section shall be listed as a condition of approval on any building or demolition permit issued and shall be considered as partial satisfaction of the solid waste portion of the environmental mitigation requirements for the project. Submission and approval of a Strategy shall not be required, however, where emergency demolition is required to protect public health or safety.

2. The completed Waste Management Strategy shall include:

a. The estimated volume or weight of project C&D debris, by major material types, to be generated; the maximum volume or weight of such materials that can feasibly be diverted by deconstruction or salvage for reuse or source separated for collection and recycling; and the vendor or facility that the Applicant proposes to use to collect or receive that material.

b. The estimated volume or weight of C&D materials that will sent to the landfill.

c. The estimate volume or weight of reused or recycled-content materials to be used in construction, and any other actions or redesign/reengineering considerations made to reduce the amount of new construction materials used or extend the useable design-life of the facility.

d. The amount or volume of any additional disposed materials that will be generated by post-construction operations resulting from the construction or renovation; and the proposed design, engineering, and operational features such as, waste reduction policies, dedicated space for collection containers, and

recyclable materials flow paths that will reduce wastes and support the ongoing recycling of materials generated by facility operations, and an estimate of the volume or weight of such materials that can feasibly be recycled or otherwise diverted from landfill.

3. In estimating the volume or weight of materials identified in the Strategy, the applicant shall use the material types and standardized conversion rates approved by the Citycity for this purpose.

4. If an applicant experiences unique circumstances that make it infeasible to comply with the diversion requirements, the applicant may apply for an exemption at the time of Strategy submission by including the specific circumstances that make it infeasible to comply and the maximum rate of diversion believed to be feasible for each material.

5. The applicant for any covered project shall submit with the strategy a performance security, defined as the lesser of three percent of total project cost or an amount to be determined by the city. (Acceptable forms of performance security include: performance bonds, surety bonds, money orders, letters of credit, and certificates of deposit.) The city shall only approve a completed strategy if it meets the state required percentage for C&D debris generated by the project will be diverted from disposal through waste prevention, recycling, reuse, or other waste reduction activities; the project has made all feasible efforts to use recycled-content materials and sustainable design principles; the project provided for waste reduction and recycling of materials generated by post-construction facility operations; and the performance security is sufficient. If the director determines that it is infeasible for the applicant to meet the diversion requirements due to unique circumstances, the city may approve alternate diversion rates for one or more targeted materials.

6. Within [30] days after the completion of the covered project, the applicant shall submit to the Citycity receipts from the vendor or facility which collected or received the C&D material showing the actual weight or volume of each material diverted and to the landfill, receipts for reused or recycled-content materials purchased for the project, the description and amount of any on-site materials reused, a description of all other steps taken to reduce or prevent the waste generation, and a description of the construction and post-construction sustainability policies and actions taken as referenced in the strategy. The Citycity shall review the information and determine whether the applicant has fully complied with the diversion requirements or made all feasible efforts to comply, considering the original waste reduction strategy and factors such as the availability of markets for the C&D debris, the size of the project, and the documented efforts to provide sustainable building and operations practices.

7. If the Citycity determines that the applicant has not fulfilled the requirements or made a good faith effort to comply, or the applicant fails to submit the documentation required within the required time period, then the Performance

Security shall be forfeited to the Citycity. All forfeited Performance Securities shall be used for the purposes of promoting waste reduction, recycling, and environmentally sustainable construction within the Citycity of Gardena.

8. Applicants for venue facility construction, demolition, and renovation projects within the city of Gardena shall be required to follow the policies and procedures of the city's C&D program, in accordance with this chapter, and divert at least the state required percentage of all project-related construction and demolition debris, purchase recycled content materials, and provide for environmentally sustainable design and operation of the facilities. (Ord. 1797 § 5, 2018; Ord. 1678 § 1, 2006)

D. Large event and large venue requirements – edible food recovery.

1. Large events and large venues must comply with the requirements of this section commencing January 1, 2024, pursuant to 14 CCR Section 18991.3.

2. Large venue or large event operators not providing food services, but allowing for food to be provided by others, shall require Food Facilities operating at the large venue or large event to comply with the requirements of this section, commencing January 1, 2024.

3. Large events and large venues shall comply with all of the following requirements:

a. Arrange to recover the maximum amount of edible food that would otherwise be disposed.

b. Contract with or enter into a written agreement with food recovery organizations or food recovery services for: (i) the collection of edible food for food recovery; or, (ii) acceptance of the edible food that the large venue or large event operator self-hauls to the food recovery organization for food recovery.

c. Not intentionally spoil edible food that is capable of being recovered by a food recovery organization or a food recovery service.

d. Allow city's designated enforcement entity or designated third party enforcement entity to access the premises and review records pursuant to 14 CCR Section 18991.4.

e. Keep records that include the following information, or as otherwise specified in 14 CCR Section 18991.4:

i. A list of each food recovery service or organization that collects or receives its edible food pursuant to a contract or written agreement established under 14 CCR Section 18991.3(b).

ii. A copy of all contracts or written agreements established under 14 CCR Section 18991.3(b).

iii. A record of the following information for each of those food recovery services or food recovery organizations:

(a) The name, address and contact information of the food recovery service or food recovery organization.

(b) The types of food that will be collected by or self-hauled to the food recovery service or food recovery organization.

(c) The established frequency that food will be collected or self-hauled.

(d) The quantity of food, measured in pounds recovered per month, collected or self-hauled to a food recovery service or food recovery organization for food recovery.

4. Maintain records required by this section for five (5) years.

5. No later than January 31 of each year that the large venue or large event operates, commencing no later than January 1, 2022, provide an annual food recovery report to the city that includes the following information:

a. The amount, in pounds, of edible food donated to a food recovery service or food recovery organization annually; and,

b. The amount, in pounds of edible food rejected by a food recovery service or food recovery organization annually.

c. Any additional information required by the city manager or their designee.

E. Nothing in this chapter shall be construed to limit or conflict with the protections provided by the California Good Samaritan Food Donation Act of 2017, the Federal Good Samaritan Act, or share table and school food donation guidance pursuant to Senate Bill 557 of 2017 (approved by the Governor of the state of California on September 25, 2017, which added Article 13 [commencing with Section 49580] to Chapter 9 of Part 27 of Division 4 of Title 2 of the Education Code, and to amend Section 114079 of the Health and Safety Code, relating to food safety, as amended, supplemented, superseded and replaced from time to time).

8.20.070 **Solid waste charges – Payment.**

A. Residential ~~Premises~~premises.

1. A charge fixed by resolution of the council for services rendered in the normal collection, removal, processing and disposal of solid waste shall be collected from the owner of each property in the city improved with residential premises. Each such owner shall be liable for the collection charge whether or not collection services are utilized. The charge shall be billed and collected ~~with property taxes by the office of the county auditor-controller-tax collector and/or other appropriate county offices~~by Golden State Water, unless

the City or another entity is engaged to provide billing services.

2. Charges for special services provided to owners or occupants of residential premises, such as roll-off service or bin service, shall be billed by and paid directly to, the operator of the solid waste collection service.

3. The city may refund any fee, or portion thereof, paid pursuant to the provisions of this chapter, provided the fee is found and determined to have been entered, charged or paid illegally, or more than once, or through clerical error, or through the error or mistake of the city. No order for a refund shall be made except on a claim verified by the person who paid the fee, or the legal representative of such person, filed with the city clerk within one year after the payment sought to be refunded was paid. Refund claims shall be processed in accordance with Title 1, Division 3.6, Part 3 of the Government Code.

4. *Repealed.*

5. Exceptions. The monthly residential charges shall not apply to the following:

a. Any property which has been vacant for the month for which the charges are imposed. The burden shall be on the property owner to prove the vacancy;

b. Any property from which the solid waste is self-hauled to a landfill authorized to take such solid waste for the month the charges are imposed. Receipts showing the landfill and processing facility, the dates, the amount and type (e.g., refuse, recyclable materials, organic waste) of material self-hauled, and the amounts paid shall be required as proof.

c. If a property owner applies to the city for an exception, and such an exception is verified prior to the city sending the tax assessor's roll to the county tax assessor, the roll shall be adjusted accordingly. Otherwise, the fee may be refunded in accordance with subdivision (3) of this subsection.

6. Senior citizens receiving supplemental security income benefits (SSI) from the United States Social Security Administration shall receive a fifty percent reduction in rates. Persons who believe they qualify for such a reduction in rates shall show evidence of eligibility to staff of the senior citizens bureau of the city's human services division who shall certify as to the eligibility and shall notify the city manager who shall adjust the billings accordingly.

B. Commercial and Multifamily Premises multifamily premises. The owners and occupants of commercial and multifamily premises shall pay for solid waste collection services at rates not in excess of maximum amounts and not less than minimum amounts, if any, as may be specified by resolution of the council, which amounts shall be billed by and paid directly to the operator of the solid waste collection service.

C. For regulated C&D projects, upon approval of the C&D waste diversion plan and prior to issuance of any permit, the contractor shall deposit the applicable amount with the city. The deposit shall be in cash, check, performance bond, cash bond, or credit card, payable to the city of Gardena in an amount according to the following schedule:

Value of Job	Recycling Deposit Requirement
Under $100,000	$5,000
$100,000 – $249,999	$7,500
$250,000 – $499,999	$10,000
$500,000+	$15,000

Funds received by the city as diversion deposits shall be used only for:

1. Payment of diversion deposit refunds.

2. Costs of administration of the program established by this chapter.

3. Cost of programs whose purpose is to divert C&D wastes from landfill disposal.

4. Costs of programs whose purpose is to develop or improve the infrastructure needed to divert C&D wastes from landfill disposal.

D. For a C&D project, a nonrefundable administrative fee of one percent of the project value shall be paid to the city, which fee shall not exceed five thousand dollars.

E. In the event that recyclable solid wastes are not donated or sold, commercial and industrial premises shall pay for collection and processing services in accordance with rates not in excess of maximum amounts and not less than minimum amounts, if any, as may be specified by resolution of the city council, which amounts shall be billed by and paid directly to the operator of the solid waste collection service. (Ord. 1797 §§ 6, 7, 2018; Ord. 1649 § 4, 2004; Urg. Ord. 1648 § 4, 2003; Ord. 1544 § 1, 1998; Ord. 1520 § 2, 1997; Ord. 1497 § 1 (part), 1996)

8.20.080 Charges – Nonpayment.

A. Charges for residential premises shall constitute a debt due the city for which the owner and tenant or occupant of the premises shall be jointly and severally liable, except as hereinafter provided, and no person liable therefor shall ~~wilfully~~willfully fail, neglect, or refuse, after demand by the city, to pay such charges as prescribed by this chapter. Failure to pay such charges shall constitute a lien upon the property for which the charge is assessed. (Ord. 1497 § 1 (part), 1996)

B. Charges billed by the operator of the solid waste collection service. In the event payment in full is not made within sixty (60) days of billing, the operator of the solid waste collection service may suspend service.

8.20.090 Disposal and processing.

A. All solid waste collected in the city shall be disposed of or processed at a suitable site legally empowered to accept such material for disposal. or processing. All processing facilities shall comply with the requirements of SB 1383

B. No person shall engage in the business of collecting, dumping or depositing any solid waste upon any property located within the city without first having obtained a special permit pursuant to Chapter 5.04 of this code. (Ord. 1497 § 1 (part), 1996)

8.20.100 Collection vehicles.

A. Collection vehicles used by operators within the city shall comply with the requirements of this section and shall conform to the highest industry standards.

B. Annual inspection by the California Highway Patrol is required for all collection vehicles. Inspection certificates for each collection vehicle shall be filed with the city manager.

C. Collection vehicles must be registered with the California Department of Motor Vehicles, and comply with South Coast Air Quality Management District Requirements and the California Air Resource Board requirements as they are currently in force and as they may be approved for solid waste removal vehicles, as well as other federal, state and local laws and regulations that may be enacted at any time.

D. Collection vehicles shall at all times be kept clean, in good repair and uniformly painted to the satisfaction of the city and shall comply with all measures and procedures promulgated by agencies having jurisdiction. Additionally all vehicles shall be disinfected on a regular basis.

~~D~~E. Each vehicle shall be so constructed and used so that solid waste, oil, grease or other liquid will not blow, fall or leak out of the vehicle onto the street. All solid waste shall be transported by means of vehicles equipped with water-tight bodies fitted with close-fitting metal covers. Should any solid waste be dropped or spilled in collecting, transferring or transporting, it shall be immediately cleaned up. A broom and a shovel shall be carried on each vehicle at all times for such purpose.

~~E~~F. The operator's name and telephone number shall be printed or painted in legible letters, not less than six inches in height and four inches in width and shall be prominently displayed on each side of the vehicle in a color sharply contrasting with the color of the vehicle.

~~F~~G. The noise level generated by compaction vehicles using compaction mechanisms during the stationary compaction process shall not exceed a single-event noise level of seventy-five decibels (dba) at a distance of twenty-five feet from the collection vehicle measured at an elevation of five feet above ground level. Each operator shall submit to the city, upon request, a certificate of vehicle noise level testing by an independent testing entity approved by the city.

GH. Each vehicle used for the collection, hauling and disposal of solid waste shall be equipped with an audible warning device that is activated when the vehicle is backing up.

HI. Should the city at any time give notification in writing to the operator that any designated vehicle does not comply with the standards of this chapter, such vehicle shall forthwith be removed from service by the operator and not again so used hereunder until inspected and approved in writing by the city. (Ord. 1497 § 1 (part), 1996)

8.20.110 Containers/bins.

A. Containers. Every person occupying or in possession of any premises in the city shall provide sufficient portable containers for solid waste to accommodate the amount of solid waste generated by those particular premises, as follows:

1. Residential. Residential customers shall use the containers provided by the city's franchised waste hauler. Placement of such containers shall comply with the provisions set forth in Section 18.42.130, and SB 1383.

Upon the request of a residential premises owner or occupant, the operator shall provide roll-off service and other services reasonably related to the collection of solid waste.

2. Commercial. Containers shall be constructed of metal or plastic with tight-fitting lids constructed so as not to permit the contents to shift or pass through any opening therein, other than the top thereof., and shall comply with SB 1383. All containers/bins shall be stored in a refusean enclosure and shall be sized for wastethe appropriate size and number of refuse, recycling, and organic bins in the size and amount as specified in Section 8.20.060. The minimum enclosure area size shallcontainers necessary to accommodate: two three cubic yard bins (one for waste and one for recycling); and one one cubic yard bin (for organics). solid waste generated on the property. Placement of said containers shall comply with the provisions as set forth in Section 18.42.130.

3. Food Facilitiesfacilities.

a. Food facilities shall maintain a FOG bin (fats, oils, grease), and the enclosure area should be sized to accommodate the access to and service of those bins. The size of waste and FOG bins varies by hauler. At a minimum, sufficient space must be provided to accommodate a one-and-one-half-cubic-yard bin for FOG waste or the amount of FOG generation rates anticipated to be created, whichever is larger.

b. TrashRefuse enclosures shall have smooth surfaced interior walls (no exposed cinder block or brick work – putty coat plaster is acceptable), and a smooth surfaced concrete floor slab for cleaning ability. Gates installed for the enclosure shall be sealed surfaces.

B. Placement of Containerscontainers – Residential. Each container shall be kept on the premises except on the collection day for that premises. The containers shall be placed for collection on the curb of a public street adjacent to the premises or where the premises are adjacent to a paved alley of sufficient width to allow the easy passage of the collection vehicles and emergency vehicles. For residences that take collection from an alley, the containers may be placed within two feet of the rear property line of the premises provided the placement does not conflict with other provisions of the Gardena Municipal Code. Each container shall be placed for collection not later than the hour upon which the collection is scheduled to commence in the area in which the premises are located and shall not be placed for collection earlier than twenty-four hours prior to the time the collection is scheduled to commence. All containers shall be removed within twenty-four hours after collection. Except, during the time a container is placed for curbside collection, containers shall not be visible from the public right-of-way.

C. Placement of Containerscontainers – Commercial/Multifamily. Each container shall be placed in a manner that is accessible for collection and does not constitute an obstruction to public areas, right-of-way, or cause or contribute to littering or a nuisance and does not conflict with an area specifically designated for collection by the community development department, other city departments or Section 18.42.130. Waste containers and storage areas shall be screened from public view, including when placed in an alley.

D. Removal of Containerscontainers. An operator who has been notified by a commercial or multifamily solid waste service recipient that commercial solid waste service is to be discontinued shall remove all of its commercial bins from the premises of the service recipient who is discontinuing service within one week following the receipt of notification that service is to be discontinued.

E. Securing of Containerscontainers. All solid waste containers left outdoors, whether residential or commercial, shall be stored with the tops closed or otherwise securely fastened and shall be maintained so that no solid waste or recyclable material placed therein shall be permitted to escape from the container.

F. Container Enclosure.

1. If a container enclosure is required, a concrete block wall shall be constructed on three sides, with a twelve-foot clear gate opening, a twelve-foot interior pad width and a twelve-foot interior pad depth. The wall shall have a minimum height of seven feet with a maximum height of ten feet.

2. Gates shall be made of solid metal. Gated openings for ingress/egress of bins must be a minimum of twelve feet wide with no posts in the middle. A separate, additional pedestrian entrance is encouraged from the backside. Gates shall be secure to the poles or walls through the use of bolts or welds, screws shall not be permitted. The gate shall have latches to hold the gate in the open position. All latches shall be installed on the exterior of the gates and latch rods shall be a

minimum of thirty-six inches above ground level. Latch rods shall be a minimum of three-quarters inch in diameter. The receiver shall be three inches deep, one-inch inside diameter and flush with the ground. Hung gates must have a four-inch clearance off the finished pad or apron. Gates in the opened position shall not infringe on the traffic aisles and shall open to at least one hundred eighty degrees when secured open.

3. For enclosures where more than one container will be required, the enclosure design shall be submitted to the community development division of the general services department for approval.As more fully described below, the building official, shall ensure adequate space for recycling is incorporated into building plans as required by the California Code of Regulations, Title 23, the California Green Building Standards Code (CalGreen), Chapter 4 Residential Mandatory Measures, and Chapter 5 Nonresidential Mandatory Measures.

a. CalGreen Chapter 4 Section 4.410.2 Recycling by Occupants. Where 5 or more multifamily dwelling units are constructed on a building site, provide readily accessible area(s) that serves all buildings on the site and are identified for the depositing, storage and collection of nonhazardous materials for recycling, including (at a minimum) paper, corrugated cardboard, glass, plastics, organic waste, and metals, or meet another local ordinance, if more restrictive.

b. CalGreen Chapter 5 Section 5.410.1 Recycling by Occupants. Provide readily accessible areas that serve the entire building and are identified for the depositing, storage and collection of non-hazardous materials for recycling, including (at a minimum) paper, corrugated cardboard, glass, plastics, organic waste, and metals or meet another local ordinance, if more restrictive.

c. CalGreen Chapter 5 Section 5.410.1.1 Additions. All additions conducted within a 12-month period under single or multiple permits, resulting in an increase of 30 percent or more in floor area, shall provide recycling areas on site.

The building official shall report the number of construction and demolition debris removal activities conducted in compliance with 14 CCR Section 18994.2. Reports are due October 1, 2022 for the period of January 1, 2022 through June 30, 2022, and on or before August 1, 2023, and on or before August 1st each year thereafter.

4. Where a concrete block container enclosure is installed, vertical and horizontal steel reinforcement shall be required in accordance with the general services department guidelines.

5. Curbs. Six-inch curbs shall be placed on the inside walls to protect the walls from bin impact.

6. Gate stops shall be installed to prevent enclosure gates from closing while bin is being cycled. All gates shall open one hundred eighty degrees and the latch rod

shall have the same one-inch inside diameter receiver as the closed position requires.

7. Accessing the Enclosure. When a straight on approach cannot be accomplished to access the trash enclosure, a parallel approach shall be utilized and the service will be conducted by a side-load unit. Only in the event where a front-load service must be utilized, and a straight approach cannot be achieved, a radius of not more than thirty-one and nine-tenths degrees shall be used to make the approach into the trash enclosure.

8. Enclosures shall be screened with plant material whenever practical.

G. Stormwater Pollution Prevention. Trash enclosuresEnclosures shall be covered to prevent rain from falling on containers, compactors, or the enclosure floor and carrying contaminants to the stormwater system. Stormwater runoff from the roof of the enclosure area shall drain away from the enclosure area and shall drain to landscaping or other stormwater treatment system before discharging to the municipal storm sewer system. Trash enclosuresEnclosures shall be plumbed to the sanitary sewer so that waste spills, leaks, and wastewater from bin washouts does not run out of the enclosure area and into storm drains. Food service facilities (such as bakeries, restaurants, take-outs, and businesses with cafeterias) shall include a sanitary sewer connection in the enclosure area. If FOG is stored in the enclosure, the sanitary drain shall discharge to a grease interceptor. A trap primer is required in accordance with the California Plumbing Code. (Ord. 1797 § 8, 2018: Ord. 1497 § 1 (part), 1996)

8.20.120 Other prohibited activities.

A. It is unlawful for any person to deposit or bury, or cause or permit to be deposited or buried, within the city, any solid waste upon any premises, public or private.

B. It is unlawful for any person to interfere with the collection, conveyance, or disposal of solid waste.

C. No person, except the lawful operators as defined in this chapter, shall gather, collect, or transport solid waste/recyclable material within the city and exact charges for such services.

D. It is unlawful to deposit solid waste within or upon another person's property or to use a container or bin for solid waste not attributable to the property upon which placement is based pursuant to this chapter.

E. It is unlawful for any property owner or occupant to allow solid waste and debris to be scattered or accumulate upon public right-of-way abutting his property.

F. It is unlawful for any person to cause or permit solid waste to accumulate at any place or premises under his charge or control for a period in excess of one week.

G. No person shall accumulate solid waste for more than seven consecutive days; nor shall any person keep upon any premises in the city any solid waste which is offensive, obnoxious or unsanitary.

H. No person shall burn any solid waste within the city, except in an approved incinerator or transformation facility or other device for which a permit has been issued by the city, and which complies with all applicable permit and other regulations of air pollution control authorities, and provided any such act of burning in all respects complies with all other laws, rules and regulations.

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H. No person shall dump, deposit, release, spill, leak, pump, pour, emit, empty, discharge, inject, bury or dispose into the environment any liquid or solid waste upon any premises within the city, or cause the same thereto except in an authorized or permitted solid waste container or at an authorized or permitted solid waste facility.

JI. No person shall construct or operate a solid waste management facility including but not limited to a materials recovery facility, solid waste transfer station or processing stationfacility, composting facility, a buy-back or drop-off center, disposal facility or recycling center without first satisfying all city requirement for land use, environmental and other approvals.

KJ. No person, other than the owner thereof or his agents or employees, or an officer or employee of the city, or operator, shall tamper or meddle with any container, or the contents thereof, or remove the contents of the container, or remove the container from the location where the container shall have been placed by the owner thereof or his agent.

LK. No operator shall transfer the load from one collection vehicle to another on any public street or road unless such transfer is essential to the method of operation and is approved by the city manager, or is necessary owing to mechanical failure or accidental damage to a vehicle.

ML. Commingling of solid waste materials collected within the city with solid waste collected from outside of city shall be prohibited. The provisions set forth in this subsection, shall not be applicable to any transfer station or processing stationfacility, or material recovery facility, operating under a franchisehost agreement granted pursuant to Section 8.20.180035 of the Gardena Municipal Code.

NM. Nothing in this chapter shall prevent any person from engaging in the collection of material for the sole purpose of the implementation of composting or other greenorganic waste recycling programs. (Ord. 1497 § 1 (part), 1996)

8.20.130 Time and frequency of collections.

A. Residential. Collection shall be made between the hours of seven a.m. and sixseven p.m., Monday through Friday. In the case of a holiday, collection shall be made on the day following the regularly scheduled day of collection. During those weeks in which a

holiday occurs, collection shall be made on the following Saturday.

B. Commercial. Collection from commercial premises where noise from collection vehicles may be audible in residential areas shall be made between the hours of seven a.m. and sixseven p.m., Monday through Friday. Site and route-specific exceptions may be made to this limitation by the city manager if requested by operator. If collections are not made on holidays, the collection shall be made on the day following the regularly scheduled day of collection.

1. Solid waste within commercial zones shall be collected at least one time per week or as often as deemed necessary to protect the health and safety of persons within the area.

2. Commercial food preparation establishments shall cause all food waste to be collected and removed from the premises not less frequently than twice per week or as often as deemed necessary to protect the health and safety of those persons within the area. (Ord. 1497 § 1 (part), 1996)

8.20.140 Noise.

All collections shall be made as quietly as possible and in conformance with applicable city laws. (Ord. 1497 § 1 (part), 1996)

8.20.150 Indemnification and insurance. Requirements of Operators Engaged in Collection Services

A. Indemnification of City. Eachcity. Without regard to the limits of any insurance coverage, each operator shall defend, indemnify and hold harmless city, its elected officials, officers, employees, volunteers and agents from and against any and all losses, fines, penalties, claims, damages, liabilities or judgments, including attorneysattorneys' fees, arising out of or resulting in any way from the operator's conduct of business in the city or the city granting the operator the right to conduct such business.

B. Hazardous substances indemnification.

C. Without regard to any insurance coverage or requirements, and without limiting the above general indemnification obligation in any way, operators specifically agree to and shall, to the maximum extent permitted by law, defend (with counsel acceptable to City), reimburse, indemnify, and hold Indemnitees harmless from and against any and all claims, actions, liabilities, damages, demands, judgments, losses, costs, liens, expenses, suits, actions, attorneys' fees, consultant fees, penalties and any and all other losses, damages, fees and expenses of whatever kind or nature ("Claims") (including but not limited to response costs, investigative costs, assessment costs, monitoring costs, treatment costs, cleanup costs, removal costs, remediation costs, and similar costs, damages and expenses) that arise out of or are alleged to arise out of or

in any way relate to any action, inaction or omission of operator that:

1. Results in any demand, claim, notice, order, or lawsuit, asserting that any Indemnitee is liable, responsible or in any way obligated to investigate, assess, monitor, study, test, treat, remove, remediate, or otherwise cleanup, any Hazardous Contaminant (as defined herein); or

2. Relates to material collected, transported, recycled, processed, treated or disposed of by operator.

D. Operator's obligations pursuant to this section shall apply, without limitation, to:

1. Any Claims brought pursuant to or based on the provisions of any environmental law;

2. Any Claims based on or arising out of or alleged to be arising out of the ownership, use, lease, sale, design, construction, maintenance or operation of operator of any Facility.

3. Any Claims based on or arising out of or alleged to be arising out of the marketing, sale, distribution, storage, transportation, disposal, processing or use of any materials recovered by operator;

4. Any claims based on or arising out of or alleged to be arising out of any breach of any express or implied warranty, representation or covenant arising out of or in connection with any agreement entered into between the city and operator.

E. The foregoing indemnity and defense obligations shall apply irrespective of the negligence or willful misconduct of operator or any Affiliate of operator.

F. ~~B. Hazardous Substances Indemnification. Each operator shall defend, indemnify and hold harmless the city, its elected officials, officers, employees, volunteers and agents from and against any and all losses, fines, penalties, claims, damages, liabilities or judgments, including attorneys fees, arising from or attributable to any repair, cleanup or detoxification, or preparation and implementation of any removal, remedial, response, closure or other plan (regardless of whether undertaken due to governmental action) concerning any hazardous substance in any solid waste collected, transported, stored or disposed of by operator or its activities resulting in a release of hazardous substances into the environment. This indemnity is intended to operate as an agreement pursuant to Section 107(e) of the Comprehensive Environmental Response, Compensation and Liability Act, "CERCLA," 42 U.S.C. Section 9607(e), and California Health and Safety Code Section 26364, to defend, protect, hold harmless and indemnify city from all forms of liability under CERCLA, other statutes or common law for any and all matters addressed in this section and shall be limited to the extent of the city's liability. This provision shall survive the expiration of the period during which collection services are provided. The city may require, as a condition to issuance of a franchise or business license to an operator, that the operator sign and deliver to the city an agreement, on a form approved by the city attorney, to effectuate the indemnification provisions of this subsection. The city may further require that the operator pay a proportionate share of insurance premiums or self-insurance retention to insure city against the liability for which indemnification is required by this subsection.~~

~~C.~~For purposes of this section, the term "Hazardous Contaminant" shall mean any hazardous substance any crude oil or refined or unrefined petroleum product or any fraction or derivative thereof; and any asbestos or asbestos-containing material. The

term "Hazardous Contaminant" shall also include any and all amendments to any referenced statutory or regulatory provisions made G. CERCLA Defense Records. Each operator shall maintain data retention and preservation systems which can establish where solid waste collected in the city was landfilled (and therefore establish where it was not landfilled) with a copy or summary of the reports required by sections of this code, for fifty years after the term during which collection services are provided or to provide copies of such records to city. Operator agrees to notify city's risk manager and city attorney before destroying such records. This provision shall survive the expiration of the period during which collection services are to be provided.

D. AB 939 and Other Applicable Legislation Indemnification. Each operator shall meet the requirements of city's source reduction and recycling element with respect to the solid waste it collects within the city including but not limited to, compliance with the requirements set forth in the California Integrated Waste Management Act of 1989, any and all source reduction programs including recycling, composting, special waste, education and public information programs. Operator shall protect, defend, indemnify and hold harmless the city, its officers, agents or employees against all fines or penalties imposed by the California Integrated Waste Management Board in the event that: (i) the diversion, source reduction and recycling goals of AB 939 or other applicable legislation are not met by the city with respect to operator's waste stream; or (ii) operator has delayed in providing information preventing city from submitting reports required by AB 939 or other applicable legislation in a timely manner. The city may require, as a condition to issuance of a franchise or business license, that the operator sign and deliver to the city an agreement, on a form approved by the city attorney, to effectuate the indemnification provisions of this subsection.

E. Worker's Compensation Insurance. As required by Section 1860 of the Labor Code of the State, each operator shall secure payment of workers compensation to his employees in accordance with the provisions of Section 3700 of the Labor Code of the State. Each operator shall supply to the city the certificate required by Section 1861 of said labor code.

F. Liability Insurance. Each operator shall procure and maintain public liability and property damage H. CalRecycle Indemnification and Guarantee.

Operator's duty to defend and indemnify herein includes payment of all fines and/or penalties imposed by CalRecycle, subject to the restrictions set forth in Public Resources Code Section 40059.1, if the requirements of AB 939, AB 341, AB 1826, and/or SB 1383 and corresponding regulations are not met by the operator with respect to the discarded materials collected by operator, and such failure is: (i) due to the failure of operator to meet its obligations, or, (ii) due to operator delays in providing information that prevents operator or city from submitting reports required by AB 939, AB 341, AB 1826, and/or SB 1383 and corresponding regulations in a timely manner. The provisions of this Section shall survive the termination or expiration of any agreement entered into between the city and operator. In carrying out the provisions of this Section, operator agrees to perform the following obligations at its cost and expense:

I. Defend, with counsel approved by city, indemnify and hold harmless the city against all fines and/or penalties imposed by CalRecycle, if operator fails or refuses to provide information relating to its operations which is required by any agreement entered into between the city and operator and such failure or refusal prevents or delays city from submitting reports required by AB 939, AB 341, AB 1826, and/or SB 1383 in a timely manner;

J. Assist city in preparing for, and participating in, CalRecycle's biannual review of the city's source reduction and recycling element pursuant to Public Resources Code Section 41825;

K. Assist city in responding to inquiries from CalRecycle in applying for an extension under Public Resources Code Section 41820, if so, directed by city; in conducting any hearing conducted by CalRecycle relating to AB 939; or in any other investigative or enforcement manner undertaken by any agency;

L. Defend, with counsel acceptable to city, and indemnify and hold harmless the city against any fines or penalties levied against it for violation of AB 939, AB 341, AB 1826, and/or SB 1383 requirements, provided that operator's obligation to indemnify city shall be subject to the limitations set forth in Public Resources Code Section 40059.1(c) as may be amended from time to time;

M. In cooperating with the city, should it seek to become its own enforcement agency, to the extent it may be permitted under state law.

N. Minimum Scope of Insurance. Coverage shall be at least as broad as:

1. The most recent editions of Insurance Services Office Commercial General Liability coverage ("occurrence" form CG 00 01).

2. The most recent editions of Insurance Services Office form number CA 00 01 covering Automobile Liability, code 1 "any auto" and endorsement CA 00 25.

3. Environmental/Pollution Liability Insurance in a form acceptable to the city attorney.

4. Workers' Compensation insurance ~~with coverage~~ as required by the Labor Code of the state of California and Employers Liability insurance.

O. Minimum Limits of Insurance. operator shall maintain in force for the term of any agreement entered into between the city and operator limits ~~not~~no less than:

~~Bodily injury, property damage and personal injury liability: two million dollars~~1. Comprehensive General Liability: Five Million Dollars ($5,000,000) combined single limit per occurrence for bodily injury, personal injury and property damage. Such limits can be achieved through a combination of primary and excess liability policies.

~~Automobile liability: two million dollars~~2. Automobile Liability: Five Million Dollars ($5,000,000) combined single limit per accident for bodily injury and property damage. Such limits can be achieved through a combination of primary and excess liability policies.

~~1. The general liability and automobile liability policies~~3. Environmental/Pollution Liability Insurance. Five Million Dollars ($5,000,000) per loss and annual aggregate applicable to bodily injury; property damage, including loss of use of damaged

property or of property that has not been physically damaged or destroyed; clean-up costs, including first party cleanup of the city's property and third-party cleanup, and bodily injury costs if pollutants impact other properties; and defense, including costs, fees and expenses incurred in the investigation, defense, or resolution of claims. Coverage shall include completed operations and shall apply to sudden and non-sudden pollution conditions. Coverage shall apply to acts, errors or omissions arising out of, or in connection with operator's scope of work under any agreement entered into between the city and operator.. Coverage shall also apply to non-owned deposit sites ("NODS") that shall protect against, for example, claims regarding bodily injury, property damage, and/or cleanup costs involving NODS. Coverage is preferred by the city to be occurrence based. However, if provided on a claims-made basis, operator warrants that any retroactive date applicable to coverage under the policy precedes the effective date of any agreement entered into between the city and operator, and that continuous coverage shall be maintained, or an extended discovery period will be exercised through completion or termination of any agreement entered into between the city and operator, for a minimum of five (5) years. This provision does not limit or alter any rights or remedies to city allowable under any agreement entered into between the city and operator,.and/or applicable law in perpetuity.

4. Technology Professional Liability Errors and Omissions Insurance: (Cyber Liability) appropriate to the operator's profession and industry practice, with limits not less than Two Million Dollars ($2,000,000) per occurrence. Coverage for cyber risks shall be sufficiently broad to respond to the duties and obligations as are undertaken by operator under any agreement entered into between the city and operator, and shall include, but not be limited to claims involving infringement of intellectual property, including but not limited to infringement of copyright, trademark, trade dress, invasion of privacy violations, information theft, damage to or destruction of electronic information, release of private information, alteration of electronic information, extortion, and network security. The policy shall provide coverage for breach response notification and remediation costs, regulatory fines and penalties, credit monitoring expenses, electronic funds transfer losses, electronic data restoration expenses, and business interruption costs with limits sufficient to respond to these obligations, in the sole discretion of the city attorney.

5. Workers' Compensation and Employers Liability: Workers' compensation limits as required by the Labor Code of the state of California and Employers Liability limits of $1,000,000 per accident.

P. Deductibles and Self-Insured Retentions. Any deductibles or self-insured retentions must be declared to and approved by city, which approval shall not be unreasonably withheld. If, in the reasonable opinion of city, operator does not have sufficient financial resources to protect city from exposure with respect to any deductibles or self-insured retentions, at the option of city, either: the insurer shall reduce or eliminate such deductibles or self-insured retention's as respects city, its officials, employees and agents; or operator shall procure a bond guaranteeing payment of losses and related

investigations, claim administration and defense expenses.

Q. Other Insurance Provisions. The policies are to contain, or be endorsed to contain, the following provisions:

1. General Liability Environmental Liability and Automobile Liability Coverages

a. The cityCity, its officerselective and appointive boards, commissions, officials, employees, agents and volunteers ("are to be named as additional insureds") are to be covered as insured as respects: liability arising out of activities performed by or on behalf of the operator, products and completed operations of the operatoroperator; premises owned, occupiedleased or used by the operator; or vehicles owned, leased, hired or borrowed by the operator. The coverage shall contain no special limitations on the scope of protection afforded to the city, its officerselective and appointive boards, commissions, officials, employees, agents or volunteers.

b. Insurance Operator's insurance coverage shall be primary over any other validinsurance as respects city, its elective and collectible insurance available to the city.appointive boards, commissions, officials, employees, agents and volunteers. Any insurance or self-insurance maintained by the city, its officials, elective and appointive boards, commissions, employees, agents or volunteers shall be excess of the operator'soperator's insurance and shall not contribute with it.

c. Any failure to comply with reporting or other provisions of the policies including breaches of warranties shall not affect coverage provided to the additional insuredcity, its officials, elective and appointive boards, commissions, employees, agents or volunteers.

d. Insuranced. Coverage shall state that operator's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer'sinsurer's liability.

e.2. Workers' Compensation and Employers Liability Coverage - The insurer shall agree to waive all rights of subrogation against city, its officials, elective and appointive boards, commissions, employees, agents and volunteers for losses arising from work performed by operator for city.

3. All Coverages - Each insurance policy required by this clause shall be endorsed to state that coverage shall not be suspended, voided or, canceled by either party, reduced in coverage or in limits except after thirty days'(30) days' prior written notice by certified mail, return receipt requested, has been given to city.

R. Scope of Coverage. All of the city.above policies of insurance shall be primary insurance and shall name the city, its electives and appointive boards, commissioners, officials, officers, employees, and agents as additional insureds. The insurer shall waive all rights of subrogation and contribution it may have against the city, its electives and appointive boards, commissioners, officials, officers, employees, agents, and their

respective insurers. In the event any of said policies of insurance are cancelled, operator shall, prior to the cancellation date, submit new evidence of insurance in conformance with this section to the city.

2. Insurance is to be placed with insurers which are California admitted (licensed) companies, approved by the state of California Department of Insurance and which have a current A.M. Best's rating of no less than A-XIII.

3. Prior to commencing or conducting business within the city the operator shall file with the city clerk original endorsements effecting the liability coverage required by this section. In addition, the city shall have the right of inspection of all insurance policies required. Each operator shall also establish an insurance policy repository and maintain copies of insurance policies required for one hundred years after the end of the term during which collection services are provided. Operator shall notify city's risk manager and city attorney before destroying copies of such policies. This provision shall survive the expiration of the period during which collection services are provided. (Ord. 1520 § 1, 1997; Ord. 1497 § 1 (part), 1996)

S. Acceptability of Insurers. The insurance policies required by this section shall be issued by an insurance company or companies authorized to do business in the state of California and with a rating in the most recent edition of Best's Insurance Reports of size category XIII or larger and a rating classification of A or better.

T. Verification of Coverage. Simultaneously with the execution of any agreement entered into between the city and operator, operator shall furnish city with certificates of insurance evidencing the coverage required herein, in form and substance satisfactory to city. The certificates for each insurance policy are to be signed by a person authorized by that insurer to bind coverage on its behalf. No work shall commence until operator has provided city with the Certificate(s) of Insurance or appropriate insurance binder(s) evidencing the required insurance coverage and said Certificate(s) of Insurance or binder(s) are approved by the city, which appraisal shall not be unreasonably withheld. Such certificates shall show the type and amount of coverage, effective dates and dates of expiration of policies and shall have all required endorsements. If city requests, copies of each policy, together with all endorsements, shall also be promptly delivered to city throughout the term of any agreement entered into between the city and operator,

U. Companies and Subcontractors. Operator shall include all companies and subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each operator and Subcontractor. All coverages for companies and subcontractors shall be subject to all of the requirements stated herein.

V. Required Cancellation Notices:

1. The certificate of insurance for the Workers' Compensation policy shall contain an endorsement in substantially the following form:

"Thirty (30) days prior written notice by certified mail, return receipt requested, shall be given to city in the event of cancellation, reduction in coverage, or non-renewal of this policy. Such notice shall be sent to:

City Manager (or designated representative)

City of Gardena
1700 West 162nd Street
Gardena, CA 90247

2. The certificate of insurance for the Public Liability policy shall contain endorsements in substantially the following form:

a. "Thirty (30) days prior written notice shall be given to city in the event of cancellation, reduction in coverage, or non-renewal of this policy. Such notice shall be sent to:

City Manager (or designated representative)
City of Gardena
1700 West 162nd Street
Gardena, CA 90247

b. "City, its officers, elective and appointive boards, commissions, employees, and agents are additional insureds on this policy."

c. "This policy shall be considered primary insurance as respects any other valid and collectible insurance maintained by city, including any self-insured retention or program of self-insurance, and any other such insurance shall be considered excess insurance only."

d. "Inclusion of city as an insured shall not affect city's rights as respects any claim, demand, suit or judgment brought or recovered against operator. This policy shall protect operator and city in the same manner as though a separate policy had been issued to each, but this shall not operate to increase operator's liability as set forth in the policy beyond the amount shown or to which operator would have been liable if only one party had been named as an insured."

Renewal certificates will be furnished periodically to city to demonstrate maintenance of the required coverage throughout the Term.

W. Other Insurance Requirements

1. In the event any services are delegated to a operator or Subcontractor, Operator shall require such operator or Subcontractor to provide statutory workers' compensation insurance and employer's liability insurance for all of the operator or Subcontractor's employees engaged in the work in accordance with this sectoin. The liability insurance required by this Section 9.4 shall cover all operator or Subcontractors or the operator or Subcontractor must furnish evidence of insurance provided by it meeting all of the requirements of this Section 9.4.

2. Operator shall comply with all requirements of the insurers issuing policies. The carrying of insurance shall not relieve operator from any obligation. If any claim exceeding the amount of any deductibles or self-insured reserves is made by any third person against operator or any operator or Subcontractor on account of any

occurrence related to any agreement entered into between the city and operator, operator shall promptly report the facts in writing to the insurance carrier and to city.

If operator fails to procure and maintain any insurance required by this section, city may take out and maintain, at operator's expense, such insurance as it may deem proper and deduct the cost thereof from any moneys due operator.

8.20.160 Reporting requirements.

A. Each operator shall maintain all records relating to the services provided hereunder, including, but not limited to, route maps, customer lists, billing records, weight tickets, maps, AB 939 and SB 1383 records, and customer complaints, for the full term during which collection services are provided, and an additional period of not less than three years, or any longer period required by law. The city shall have the right, upon reasonable advance notice, to inspect, audit and copy all records which may be relevant to operations within the city or relating to the imposition of any fees which may imposed by the city. In the absence of extraordinary circumstances, two business days' notice shall be considered reasonable. Such records shall be made available to city at operator's regular place of business, but in no event outside the county of Los Angeles.

B. Should any examination or audit of operator's records reveal an underpayment to city by operator, the amount, plus interest compounded daily at the maximum lawful rate, shall be paid to city within thirty days.

C. Reporting Requirements. Operator shall cooperate with city and or designated consultants in solid waste disposal characterization studies and waste stream audits and shall implement measures adequate to achieve the city's source reduction, recycling and waste stream diversion goals for the solid waste stream. Operator, at its own expense, shall submit to city information and reports necessary for city to meet its reporting obligations imposed by AB 939 and/or other legislation, and the regulations implementing AB 939 and/or other legislation, with respect to the solid waste collected by operator in the city.

D. Reports and Records.

1. Monthly, Quarterly and Annual Reports. In addition to reports required by other provisions, operator shall also submit to city such other information or reports in such forms and at such times as the city may reasonably request or require or as set forth by resolution or incorporated into the ~~city's solid waste hauler/recycler manual~~operator's agreement with the City as may be amended from time to time.

2. Source Reduction and Recycling Plan ("SRRP"). Operator shall be required to submit an annual SRRP that is exclusive to the city. Each SRRP will be reviewed in detail to ensure that it meets the state-mandated requirements as established by AB 939 or other legislative requirements. The SRRP should examine in detail how the operator will accomplish these goals. The SRRP must include but is not limited to: (1) targeted materials including special wastes for source reduction, recycling and

composting; (2) hazardous waste exclusion plan; (3) diversion methods; (4) reporting methodology; (5) contingency plans; and (6) methods for the handling of white goods including CFC removal, PCB removal and compliance with the requirements of Public Resources Code Sections 42160-42185.

3. SB 1383 Reporting Requirements. Operator shall be required to submit reports required by 14 CCR Article 13

E. Hazardous Waste Inspection and Reporting. Operator shall inspect solid waste put out for collection and reject solid waste observed to be contaminated with hazardous substances. Operator shall notify all agencies with jurisdiction, if appropriate, including the California Department of Toxic Substances Control and Local Emergency Response Providers and the National Response Center, of reportable quantities of hazardous waste, found or observed in commercial solid waste anywhere within the city. In addition to other required notifications, if operator observes any substances which it or its employees reasonably believe or suspect to contain hazardous wastes unlawfully disposed of or released on any city property, including storm drains, streets or other public rights-of-way, operator will immediately notify the city manager.

F. Hazardous Waste Diversion Records. Operator shall maintain records showing the types and quantities, if any, of hazardous waste found in solid waste which was inadvertently collected from solid waste service recipients within the city, but diverted from landfilling.

G. Reports. All required reports and records shall be furnished at the sole expense of operator. Reports shall be submitted to the city manager. Operator shall submit all reports and information required on computer disks, or by modem, in a format compatible with city's computers, at no additional charge, if requested by city.

H. Certification. All reports provided herein shall be signed under penalty of perjury, by a responsible corporate official, that the report is true and correct.

I. The city shall reserve the right to require all commercial, industrial, institutional or other entities to comply with the conditions of the section should the city deem that the activities engaged in by the entity are of significant levels to warrant reporting.

J. C&D Waste Diversion Plan. Contractors are required to prepare and follow a C&D waste diversion plan that identifies the activities to be conducted during the course of the construction and/or demolition project to assure conformance with the city's requirement that the state required percentage of regulated C&D wastes must be diverted. The plan shall include but is not limited to a description of the following aspects: (1) targeted materials including special wastes for diversion, (2) diversion methods, (3) reporting methodology, (4) employee training, and (5) a contingency plan in the event that diversion methods are inadequate or infeasible for implementation. The C&D waste diversion plan shall be prepared and submitted to the city for review and approval with the building and/or demolition permit application. The contractor shall follow this plan and its activities are subject to city inspection for verification.

K. C&D Waste Diversion Report. Contractors are required to prepare and submit a C&D waste diversion report within sixty days of completion of the project to the city for review and approval. This report shall contain information documenting the good faith effort of the contractor to meet the C&D waste diversion plan, and demonstrating conformance with the state required percentage diversion requirement. The report shall contain as a minimum a completed "Waste Diversion Report Form," originals or copies of all weight tickets or receipts documenting both disposal and diversion, and any other information attesting to or verifying the implementation of diversion activities. (Ord. 1797 § 9, 2018; Ord. 1649 § 5, 2004; Urg. Ord. 1648 § 5, 2003; Ord. 1497 § 1 (part), 1996)

8.20.170 Recycling servicesCollection requirements.

8.20.171 Requirements for residential premises (including multifamily premises with cart service) service generators.

Residential premises organic waste generators shall comply with the following requirements:

A. Shall subscribe to city's organic waste collection services for all organic waste generated as described below in this section. City shall have the right to review the number and size of a generator's containers to evaluate adequacy of capacity provided for each type of collection service for proper separation of materials and containment of materials; and, residential premises generators shall adjust its service level for its collection services as requested by the city. Generators may additionally manage their organic waste by preventing or reducing their organic waste, managing organic waste on site, and/or using a community composting site pursuant to 14 CCR Section 18984.9(c).

B. Shall participate in the city's organic waste collection service(s) by placing designated materials in designated containers as described below and shall not place prohibited container contaminants in collection containers.

1. Generator shall place source separated green container waste in the green container; source separated recyclable materials in the blue container; if applicable, source separated food waste in the brown container, and refuse in the gray/black container. Generators shall not place materials designated for the gray/black container into the green container, brown container or blue container.

8.20.172 Requirements for commercial premises (including multifamily premises with shared bin service).

Generators that are commercial premises, shall:

A. Subscribe to city's four or three-container collection services and comply with requirements of those services as described below in this section. City shall have the

right to review the number and size of a generator's containers and frequency of collection to evaluate adequacy of capacity provided for each type of collection service for proper separation of materials and containment of materials; and commercial premises shall adjust their service level for their collection services as requested by the city.

B. Except commercial premises that meet the self-hauler requirements, participate in the city's organic waste collection service(s) by placing designated materials in designated containers as described below.

1. Option 1: A three-container collection service: generator shall place source separated green container organic waste in the green container; source separated recyclable materials in the blue container; and refuse in the gray/black container. Generator shall not place materials designated for the gray/black container into the green container or blue container.

2. Option 2: Four-container collection service: generator shall place source separated yard waste in the green container; source separated recyclable materials in the blue container; source separated food waste in the brown container; and refuse in the gray/black container. Generator shall not place materials designated for the gray/black container into the green container, blue container, or brown container.

C. Supply and allow access to adequate number, size and location of collection containers with sufficient labels or colors (conforming with Sections 8.20.172(D)(1) and 8.20.172(D)(2) below) for employees, contractors, tenants, and customers, consistent with city's blue container, green container, brown container and gray/black container collection service or, if self-hauling, per the commercial premises instructions to support its compliance with its self-haul program.

D. Excluding multifamily premises, provide containers for the collection of source-separated green container organic waste and source separated recyclable materials in all indoor and outdoor areas where disposal containers are provided for customers, for materials generated by that premises. Such containers do not need to be provided in restrooms. If a commercial premises does not generate any of the materials that would be collected in one type of container, then the business does not have to provide that particular container in all areas where disposal containers are provided for customers. Pursuant to 14 CCR Section 18984.9(b), the containers provided by the business shall have either:

1. A body or lid that conforms with the container colors provided through the collection service provided by city, with either lids conforming to the color requirements or bodies conforming to the color requirements or both lids and bodies conforming to color requirements. Commercial premises are not required to replace functional containers, including containers purchased prior to January 1, 2022, that

do not comply with the requirements of the subsection prior to the end of the useful life of those containers, or prior to January 1, 2036, whichever comes first.

2. Container labels that include language or graphic images, or both, indicating the primary material accepted and the primary materials prohibited in that container, or containers with imprinted text or graphic images that indicate the primary materials accepted and primary materials prohibited in the container. Pursuant 14 CCR Section 18984.8, the container labeling requirements are required on new containers commencing January 1, 2022.

E. Multifamily residential dwellings are not required to comply with container placement requirements or labeling requirements in Section 8.20.172(D) pursuant to 14 CCR Section 18984.9(b).

F. To the extent practical through education, training, Inspection, and/or other measures, excluding multifamily premises, prohibit employees from placing materials in a container not designated for those materials per the city's blue container, green container, brown container, and gray/black container collection service or, if self-hauling, per the commercial premises' instructions to support its compliance with its self-haul program.

G. Excluding multifamily premises, periodically inspect blue containers, green containers, brown containers, and gray/black containers for contamination and inform employees if containers are contaminated and of the requirements to keep contaminants out of those containers pursuant to 14 CCR Section 18984.9(b)(3).

H. Annually provide information to employees, contractors, tenants, and customers about organic waste recovery requirements and about proper sorting of source separated green/brown container organic waste and source separated recyclable materials.

I. Provide education information before or within fourteen (14) days of occupation of the premises to new tenants that describes requirements to keep source separated green/brown container organic waste and source separated recyclable materials separate from solid waste (when applicable) and the location of containers and the rules governing their use at each property.

J. Provide or arrange access for city or its agent to their properties during all inspections conducted in accordance with Section 8.20.220 of this chapter to confirm compliance with the requirements of this chapter.

K. Accommodate and cooperate with city's remote monitoring program for inspection of the contents of containers for prohibited container contaminants, which may be implemented at a later date, to evaluate generator's compliance with Section 8.20.172(B). The remote monitoring program shall involve installation of remote monitoring equipment on or in the blue containers, green containers, brown containers and gray/black containers.

L. At commercial premises' option and subject to any approval required from the city, implement a remote monitoring program for inspection of the contents of its blue containers, green containers, and gray/black containers for the purpose of monitoring the contents of containers to determine appropriate levels of service and to identify prohibited container contaminants. Generators may install remote monitoring devices on or in the blue containers, green containers, brown containers and gray/black containers subject to written notification to or approval by the city or its designee.

M. If a commercial premises wants to self-haul, meet the self-hauler requirements in Section 8.20.173 of this chapter.

N. Nothing in this section prohibits a generator from preventing or reducing waste generation, managing organic waste on site, or using a community composting site pursuant to 14 CCR Section 18984.9(c).

O. Commercial premises that are tier one or tier two commercial edible food generators shall comply with food recovery requirements, pursuant to Section 8.20.200.

8.20.173 Self-hauler requirements.

A. No person shall cause, permit, or suffer the spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment, including the abandonment of or discarding of barrels, containers, and other closed receptacles, or otherwise dispose of such solid waste, recyclables, or organic waste upon any street, alley, waterway, or other unauthorized place, or upon any unimproved lot or any other unlicensed place within or without the city.

B. Self-haulers shall obtain a city self-hauler permit and operate in accordance with this chapter. In order to obtain the permit, the self-hauler shall pay the fee established by resolution of the city council. Self-haulers are only permitted to collect, transport and dispose of solid waste generated by the self-hauler. Under no circumstances may a self-hauler collect, transport or dispose of solid waste not generated by the self-hauler. Notwithstanding any other provision of this chapter, self-haulers shall not be permitted to share, place solid waste in, or to otherwise use the bin, cart, roll-off box, or other container of another person or business. (Ord. 1797 § 2, 2018: Ord. 1497 § 1 (part), 1996~~A. Recycling services shall be provided to all residential, multifamily, commercial, industrial and other entities throughout the city. Any costs associated with the implementation of such programs shall not exceed those rates as established by the city or those rates identified by industry standards for the same services, whichever is less.~~

~~B. At least once each year, operator shall provide to its customers a current listing of recyclable materials said operator will collect and process through material recovery facilities, in order to maximize the diversion of solid waste from landfills (said list may be subject to the approval of the city using the best efforts standard to determine the extent of marketable material listed).~~

~~C. No person, other than the owner thereof or his agents or employees, or any officer or employee of the city, or operator shall collect or tamper with any recyclable materials in any container from any residential and/or commercial source. Scavenging of recyclable materials is prohibited.~~

D. Right of Individual to Dispose of Recyclable Solid Waste. Nothing in this chapter shall limit the right of any person, organization or other entity to donate, sell or otherwise dispose of any recyclable solid waste owned by that person, organization or other entity, provided that any such donation, sale or other disposal is in accordance with the provisions of this chapter.

E. Civil Action by Authorized Recycling Agent. Nothing in this chapter shall be deemed to limit the right of an authorized recycling agent to bring a civil action against any persons who violate California Public Resources Code Sections 41950 through 41951, nor shall a conviction for such violation exempt any person from a civil action brought by an authorized recycling agent).

C. Self-haulers shall source separate all recyclable materials and organic waste (materials that city otherwise requires generators to separate for collection in the city's organics and recycling collection program) generated on-site from solid waste in a manner consistent with 14 CCR Sections 18984.1 and 18984.2 or shall haul organic waste to a high diversion organic waste processing facility as specified in 14 CCR Section 18984.3.

D. Self-haulers shall haul their source separated recyclable materials to a facility that recovers those materials; and haul their source separated organic waste or source separated food waste to a facility, operation, activity, or property that processes or recovers source separated organic waste. Alternatively, self-haulers may haul organic waste to a high diversion organics waste processing facility.

E. Self-haulers that are commercial premises, or multifamily premises with bin service shall keep a record of the amount of organic waste delivered to each facility, operation, activity, or property that processes or recovers organic waste; this record shall be subject to Inspection by the city. The records shall include the following information:

1. Delivery receipts and weight tickets from the entity accepting the waste.

2. The amount of material in cubic yards or tons transported by the generator to each entity.

3. If the material is transported to an entity that does not have scales on-site or employs scales incapable of weighing the self-hauler's vehicle in a manner that allows it to determine the weight of materials received, the self-hauler is not required to record the weight of material but shall keep a record of the entities that received the organic waste.

8.20.174 Waivers for generators.

A. De minimis waivers. The city may waive a commercial premises' obligation (including multifamily premises with bin service) to comply with some or all of the organic waste requirements of this chapter if the commercial premises provides documentation that the business generates below a certain amount of organic waste material as described in Section 8.20.174(A)(2) below, and/or meets the self-hauling requirements of Section 8.20.173 of this chapter. Commercial premises requesting a de minimis waiver shall:

1. Submit an application specifying the services that they are requesting a waiver from and provide documentation as noted in Section 8.20.174(A)(2) below.

2. Provide documentation that either:

a. The commercial premises' total solid waste collection service is two cubic yards or more per week and organic waste subject to collection in a blue container, brown container or green container comprises less than 20 gallons per week per applicable container of the business' total waste; or,

b. The commercial premises' total solid waste collection service is less than two cubic yards per week and organic waste subject to collection in a blue container, brown container or green container comprises less than 10 gallons per week per applicable container of the business' total waste.

3. Notify city if circumstances change such that commercial premise's organic waste exceeds threshold required for waiver, in which case waiver will be rescinded.

4. Provide written verification of eligibility for de minimis waiver every 5 years, if city has approved de minimis waiver.

B. Physical space waivers. the city may waive a commercial premises' or property owner's obligations (including multifamily residential dwellings) to comply with some or all of the recyclable materials and/or organic waste collection service requirements if the city has evidence from its own staff, a hauler, licensed architect, or licensed engineer demonstrating that the premises lacks adequate space for the collection containers required for compliance with the organic waste collection requirements of Section 8.20.172.

A commercial premises or property owner may request a physical space waiver through the following process:

1. Submit an application form specifying the type(s) of collection services for which they are requesting a compliance waiver.

2. Provide documentation that the premises lacks adequate space for blue containers and/or brown containers or green containers including documentation from its hauler, licensed architect, or licensed engineer.

3. Provide written verification to city that it is still eligible for physical space waiver every 5 years, if city has approved application for a physical space waiver.

C. The city reserves the right to grant a de minimis or physical space waiver to a commercial premises that has not submitted a waiver application.

~~F. Each solid waste collection franchisee must achieve the state required percentage diversion goal for any applicable city-sponsored project or regulated project for which the franchisee collects and hauls waste. (Ord. 1797~~

§ 10, 2018; Ord. 1653 § 3, 2004; Ord. 1649 § 6, 2004; Urg. Ord. 1648 § 6, 2003; Ord. 1497 § 1 (part), 1996)

8.20.180 Violations – Misdemeanors.

The violation of any provision of this chapter shall constitute a misdemeanor punishable by imprisonment in a county jail not exceeding six months, or by fine exceeding one thousand dollars, or both. Each separate day, or any portion thereof, during which any violation of this chapter occurs or continues shall constitute a separate offense and, upon conviction thereof, shall be punishable as provided in this section. (Ord. 1497 § 1 (part), 1996)

8.20.190 Enforcement.

A. Pursuant to California Penal Code Section 836.5, the city manager, and/or designee, and any city code enforcement officer are authorized to enforce the provisions of this chapter and as well as those of California Penal Code Sections 374, 374a, 374.2, 374.3, 374.4, 374d, 374.7, and 375; California Government Code Section 68055 et seq.; and California Vehicle Code Sections 23111 and 23112.

B. Violation. Unless otherwise specified, the violation of any provision of this chapter is grounds for the issuance of an administrative citation and assessment of a fine. The city's procedures on imposition of administrative fines in Chapter 1.20 of the Gardena municipal code are hereby incorporated in their entirety, as modified from time to time, and shall govern the imposition, enforcement, collection, and review of administrative citations issued to enforce this chapter and any rule or regulation adopted pursuant to this chapter, except as otherwise indicated in this chapter. In accordance with CCR Section 18995.4 this subsection B shall not be effective prior to January 1, 2024.

C. Other remedies allowed by law may be used, including civil action or prosecution as misdemeanor or infraction. City may pursue civil actions in the California courts to seek recovery of unpaid administrative citations. City may choose to delay court action until such time as a sufficiently large number of violations, or cumulative size of violations exist such that court action is a reasonable use of city staff and resources.

D. Enforcement of SB 1383 regulations as included in this chapter.

1. City code enforcement officers and/or their designee will monitor compliance with this chapter through compliance reviews, route reviews, investigation of complaints, and an inspection program (that may include remote monitoring). Section 8.20.220 establishes city's right to conduct inspections and investigations.

2. City may issue an official notification to notify regulated entities of its obligations under this chapter.

3. Prohibited container contaminants. City will issue a notice of violation to any generator found to have prohibited container contaminants in a container. Such notice will be provided .in accordance with 14 CCR 18984.5(b). If the city observes

prohibited container contaminants in a generator's containers on more than three (3) consecutive occasion(s), the city or its designee may assess contamination processing fees on the generator.

4. All other violations of SB 1383 regulations. With the exception of violations of the prohibited container contaminants provisions, beginning on January 1, 2024, violations of the SB 1383 regulations will be enforced as follows: (i) the city will issue a notice of violation requiring compliance within 60 days of the issuance of the notice; (ii) absent compliance by the respondent within the deadline set forth in the notice of violation, the city will commence an action to impose penalties, via an administrative citation and fine, pursuant to chapter 1.20 of the Gardena municipal code.

5. Notices of violation shall be sent to "owner" at the official address of the owner maintained by the tax collector for the city or if no such address is available, to the owner at the address of the residential, multifamily or commercial premises, or to the party responsible for paying for the collection services, depending upon available information. The notice of violation may also be posted at the physical address where the violation occurred.

E. The penalty levels, unless otherwise specified in this chapter, are as follows:

1. For a first violation, the amount of the base penalty shall be $50 to $100 per violation.

2. For a second violation, the amount of the base penalty shall be $100 to $200 per violation.

3. For a third or subsequent violation, the amount of the base penalty shall be $250 to $500 per violation.

F. The city may extend the compliance deadlines set forth in a notice of violation issued for non-compliance with this chapter if it finds that there are extenuating circumstances beyond the control of the respondent that make compliance within the deadlines impracticable, including the following:

1. Acts of God such as earthquakes, wildfires, flooding, and other emergencies or natural disasters;

2. Delays in obtaining discretionary permits or other government agency approvals; or,

3. Deficiencies in organic waste recycling infrastructure or edible food recovery capacity and the city is under a corrective action plan with CalRecycle pursuant to 14 CCR Section 18996.2 due to those deficiencies.

G. Persons receiving an administrative citation containing a penalty for an uncorrected violation may request a hearing to appeal the citation pursuant to Section 1.20.060 of

the Gardena Municipal Code.

H. Beginning January 1, 2022 and through December 31, 2023, city or their designee will conduct inspections, remote monitoring, route reviews or waste evaluations, and compliance reviews, depending upon the type of regulated entity, to determine compliance with this chapter, and if city determines that organic waste generator, self-hauler, hauler, tier one commercial edible food generator, food recovery organization, food recovery service, or other entity is not in compliance, it shall provide educational materials to the entity describing its obligations under this ordinance and a notice that compliance is required by January 1, 2022, and that violations may be subject to administrative civil penalties starting on January 1, 2024.

I. Beginning January 1, 2024, if the city determines that an organic waste generator, self-hauler, hauler, tier one or tier two commercial edible food generator, food recovery organization, food recovery service, or other entity is not in compliance with this chapter, unless otherwise specified in this chapter, it shall document the noncompliance or violation, issue a notice of violation, and take enforcement action, as needed.

In order to protect for the public health, safety, and well-being, and to prevent the spread of vectors, the owner, occupant, or other person responsible for the day-to-day operation of every property in the city shall make arrangements with an operator franchised or licensed by the city for the collection of solid wastes, recyclables, and/or organic waste as set forth in this chapter.

8.20.200 Requirements for commercial edible food generators.

A. Tier one commercial edible food generators must comply with the requirements of this section commencing January 1, 2022, and tier two commercial edible food generators must comply commencing January 1, 2024, pursuant to 14 CCR Section 18991.3.

B. Large venue or large event operators not providing food services, but allowing for food to be provided by others, shall require food facilities operating at the large venue or large event to comply with the requirements of this section, commencing January 1, 2024.

C. Commercial edible food generators shall comply with all of the following requirements:

1. Arrange to recover the maximum amount of edible food that would otherwise be disposed.

2. Contract with, or enter into a written agreement with, food recovery organizations or food recovery services for: (i) the collection of edible food for food recovery; or, (ii) acceptance of the edible food that the commercial edible food generator self-hauls to the food recovery organization for food recovery.

3. Shall not intentionally spoil edible food that is capable of being recovered by a food recovery organization or a food recovery service.

4. Allow city's designated enforcement entity or designated third party enforcement entity to access the premises and review records pursuant to 14 CCR Section 18991.4.

5. Keep records that include the following information, or as otherwise specified in 14 CCR Section 18991.4:

a. A list of each food recovery service or organization that collects or receives its edible food pursuant to a contract or written agreement established under 14 CCR Section 18991.3(b).

b. A copy of all contracts or written agreements established under 14 CCR Section 18991.3(b).

c. A record of the following information for each of those food recovery services or food recovery organizations:

i. The name, address and contact information of the food recovery service or food recovery organization.

ii. The types of food that will be collected by or self-hauled to the food recovery service or food recovery organization.

iii. The established frequency that food will be collected or self-hauled.

iv. The quantity of food, measured in pounds recovered per month, collected or self-hauled to a food recovery service or food recovery organization for food recovery.

D. Nothing in this chapter shall be construed to limit or conflict with the protections provided by the California Good Samaritan Food Donation Act of 2017, the Federal Good Samaritan Act, or share table and school food donation guidance pursuant to Senate Bill 557 of 2017 (approved by the Governor of the state of California on September 25, 2017, which added Article 13 [commencing with Section 49580] to Chapter 9 of Part 27 of Division 4 of Title 2 of the Education Code, and to amend Section 114079 of the Health and Safety Code, relating to food safety, as amended, supplemented, superseded and replaced from time to time).

8.20.210 Requirements for food recovery organizations and services.

A. Food recovery services collecting or receiving edible food directly from commercial edible food generators, via a contract or written agreement established under 14 CCR Section 18991.3(b), shall maintain the following records, or as otherwise specified by 14 CCR Section 18991.5(a)(1):

1. The name, address, and contact information for each commercial edible food generator from which the service collects edible food.

2. The quantity in pounds of edible food collected from each commercial edible food generator per month.

3. The quantity in pounds of edible food transported to each food recovery organization per month.

4. The name, address, and contact information for each food recovery organization that the food recovery service transports edible food to for food recovery.

B. Food recovery organizations collecting or receiving edible food directly from commercial edible food generators, via a contract or written agreement established under 14 CCR Section 18991.3(b), shall maintain the following records, or as otherwise specified by 14 CCR Section 18991.5(a)(2):

1. The name, address, and contact information for each commercial edible food generator from which the organization receives edible food.

2. The quantity in pounds of edible food received from each commercial edible food generator per month.

3. The name, address, and contact information for each food recovery service that the organization receives edible food from for food recovery.

C. Food recovery organizations and food recovery services shall inform generators about California and Federal Good Samaritan Food Donation Act protection in written communications, such as in their contract or agreement established under 14 CCR Section 18991.3(b).

D. Food recovery organizations and food recovery services that have their primary address physically located in the city and contract with or have written agreements with one or more commercial edible food generators pursuant to 14 CCR Section 18991.3(b) shall report to the city annually by March 15, beginning March 15, 2023, it is located in the total pounds of edible food recovered in the previous calendar year from the tier one and tier two commercial edible food generators they have established a contract or written agreement with pursuant to 14 CCR Section 18991.3(b).

E. In order to support edible food recovery capacity planning assessments or other studies conducted by the city or its designated entity, food recovery services and food recovery organizations operating in the city shall provide information and consultation to the city, upon request, regarding existing, or proposed new or expanded, food recovery capacity that could be accessed by the city and its commercial edible food generators. A food recovery service or food recovery organization contacted by the city shall respond to such request for information within 60 days, unless a shorter timeframe is otherwise specified by the city.

ORDINANCE NO. 1837

8.20.220 Inspections and investigations by city pertaining to the requirements of SB 1383 contained with the city's municipal code.

A. City representatives and/or its designee, including designees are authorized to conduct inspections and investigations, at random or otherwise, of any collection container, collection vehicle loads, or transfer, processing, or disposal facility for materials collected from generators, or source separated materials to confirm compliance with this chapter by organic waste generators, commercial premises, multifamily premises with bin service, property owners, commercial edible food generators, haulers, self-haulers, food recovery services, and food recovery organizations, subject to applicable laws. This section does not allow city to enter the interior of a private residential premises for inspection. For the purposes of inspecting commercial premises containers for compliance with section 8.20.172(B) of this chapter, city and/or its designee may conduct container inspections for prohibited container contaminants using remote monitoring, and commercial premises shall accommodate and cooperate with the remote monitoring pursuant to section 8.20.172(K) of this chapter.

B. Property owner, manager, or their designee shall provide or arrange for access during all Inspections (with the exception of residential premises interiors) and shall cooperate with the city's employee or its designated entity/designee during such inspections and investigations. Such inspections and investigations may include confirmation of proper placement of materials in containers, edible food recovery activities, records, or any other requirement of this chapter described herein. Failure to provide or arrange for: (i) access to an entity's premises; (ii) installation and operation of remote monitoring equipment (optional); or (iii) access to records for any inspection or investigation is a violation of this chapter and may result in penalties described.

C. Any records obtained by a city or its designee during its inspections, remote monitoring, and other reviews shall be subject to the requirements and applicable disclosure exemptions of the Public Records Act as set forth in Government Code Section 6250 et seq.

D. City representatives, its designated entity, and/or designee are authorized to conduct any inspections, remote monitoring, or other investigations as reasonably necessary to further the goals of this chapter, subject to applicable laws.

SECTION 3. Chapter 2.60 (Purchasing System) is amended by adopting and adding Section 2.60.180 to the Gardena Municipal Code to read as follows:

SECTION 2.60.180. Recycled-Content Paper Procurement Requirements for City Departments, Direct Service Providers, and Vendors.

(A) All vendors providing Paper Products and Printing and Writing Paper shall:

(1) If fitness and quality are equal, provide Recycled-Content

Paper Products and Recycled-Content Printing and Writing Paper that consists of at least 30 percent (30%), by fiber weight, postconsumer fiber instead of non-recycled products whenever recycled Paper Products and Printing and Writing Paper are available at the same or lesser total cost than non-recycled items or at a total cost of no more than 10% of the total cost for non-recycled items.

(2) Provide Paper Products and Printing and Writing Paper that meet Federal Trade Commission recyclability standard as defined in 16 Code of Federal Regulations (CFR) Section 260.12.

(3) Certify in writing, under penalty of perjury, the minimum percentage of postconsumer material in the Paper Products and Printing and Writing Paper offered or sold to the City. This certification requirement may be waived if the percentage of postconsumer material in the Paper Products, Printing and Writing Paper, or both can be verified by a product label, catalog, invoice, or a manufacturer or vendor internet website.

(4) Certify in writing, on invoices or receipts provided, that the Paper Products and Printing and Writing Paper offered or sold to the City are eligible to be labeled with an unqualified recyclable label as defined in 16 Code of Federal Regulations (CFR) Section 260.12 (2013).

(5) Provide records to the City's recordkeeping designee of all Paper Products and Printing and Writing Paper purchases within thirty (30) days of the purchase (both recycled-content and non-recycled content, if any is purchased) made by any division or department or employee of the City. Records shall include a copy (electronic or paper) of the invoice or other documentation of purchase, written certifications as required in Sections 308.150(a)(3) and 308.150(a)(4) for recycled-content purchases, purchaser name, quantity purchased, date purchased, and recycled content (including products that contain none), and if non-recycled content Paper Products or Printing and Writing Papers are provided, include a description of why Recycled-Content Paper Products or Printing and Writing Papers were not provided.

(6) Maintain records required by 308.150(a)(5) for five (5) years.

(B) Definitions

(1) "Paper Products" include, but are not limited to, paper janitorial supplies, cartons, wrapping, packaging, file folders, hanging files, corrugated boxes, tissue, and toweling, or as otherwise defined in 14 CCR Section 18982(a)(51).

(2) "Printing and Writing Papers" include, but are not limited to, copy, xerographic, watermark, cotton fiber, offset, forms, computer printout paper, white wove envelopes, manila envelopes, book paper, note pads, writing tablets, newsprint, and other uncoated writing papers, posters, index cards, calendars, brochures, reports, magazines, and publications, or as otherwise defined in 14 CCR Section 18982(a)(54).

(3) "Recycled-Content Paper" means Paper Products and Printing and Writing Paper that consists of at least 30 percent, by fiber weight, postconsumer fiber, or as otherwise defined in 14 CCR Section 18982(a)(61).

SECTION 4. Notification of Intent to Comply. If the City encounters difficulty in timely implementation of this ordinance the City Manager is directed to submit a notification of intent to comply to CalRecycle in accordance with Public Resources Code Section 42652.5.

SECTION 5. CEQA Compliance. The adoption of this Ordinance is exempt from CEQA pursuant to CEQA Guidelines section 15061(c)(3) which provides that a project is exempt from CEQA when it is covered by the general rule that CEQA only applies to projects which have the potential for causing a significant effect on the environment and does not apply where it can be seen with certainty that there is no possibility of a significant effect. Staff is directed to file a Notice of Exemption with the County Clerk.

SECTION 6. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase be declared unconstitutional.

SECTION 7. **Certification**. The City Clerk shall certify to the passage of this ordinance and shall cause the same to be entered in the book of original ordinances of said City; shall make a minute passage and adoption thereof in the records of the meeting at which time the same is passed and adopted; and shall, within fifteen (15) days after the passage and adoption thereof, cause a summary of the ordinance to be published as required by law.

SECTION 8. Effective Date. This ordinance shall become effective on the thirty-first day after adoption.

Passed, approved, and adopted this _____ day of _____, 2021.

_____
TASHA CERDA, Mayor

ATTEST: APPROVED AS TO FORM:

_____ _____
MINA SEMENZA, City Clerk CARMEN VASQUEZ, City Attorney

ORDINANCE NO. 1837

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, REPEALING CHAPTER 18.20 OF THE GARDENA MUNICIPAL CODE, ADOPTING A NEW UPDATED CHAPTER 18.20 AND UPDATING CHAPTER 2.60 OF THE GARDENA MUNICIPAL CODE TO INCORPORATE PROVISIONS OF SENATE BILL 1383 AND REGULATIONS ADOPTED BY CALRECYCLE

WHEREAS, Senate Bill 1383 of 2016 ("SB 1383") added Sections 39730.5, 39730.6, 39730.7, and 39730.8 to the Health and Safety Code, and added Chapter 13.1 (commencing with Section 42652) to Part 3 of Division 30 of the Public Resources Code, establishing methane emissions reduction targets in a statewide effort to reduce emissions of short-lived climate pollutants, and;

WHEREAS, on November 3, 2020, the Department of Resources Recycling & Recovery (CalRecycle) adopted organic waste reductions regulations contained in Chapter 12 of 14 CCR, Division 7 and amended portions of regulations of 14 CCR and 27 CCR, and;

WHEREAS, the foregoing laws and regulations require that the provisions of the Gardena Municipal Code relating to the solid waste be substantially rewritten.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, DOES HEREBY ORDAIN, AS FOLLOWS:

SECTION 1. Chapter 8.20 of the Gardena Municipal Code is hereby replaced in its entirely.

SECTION 2. Chapter 8.20 is hereby adopted and added to the Gardena Muncipal Code to read as follows:

Chapter 8.20
SOLID WASTE AND RECYCLABLE COLLECTION AND DISPOSAL

Sections:
8.20.010 Purpose.
8.20.020 Definitions.
8.20.030 Authorization required to collect.
8.20.035 Requirements for facility operators and community composting operations.
8.20.040 Licensing.
8.20.050 Revocation and suspension of franchise, license or permit.
8.20.060 Solid waste disposal and diversion.
8.20.065 Special events and venue facility operations.
8.20.070 Solid waste charges – Payment.
8.20.080 Charges – Nonpayment.
8.20.090 Disposal and processing.
8.20.100 Collection vehicles.
8.20.110 Containers/bins.

8.20.120 Other prohibited activities.
8.20.130 Time and frequency of collections.
8.20.140 Noise.
8.20.150 Indemnification and insurance.
8.20.160 Reporting requirements.
8.20.170 Collection requirements.
8.20.171 Requirements for residential premises (including multifamily premises with cart service) service generators.
8.20.172 Requirements for commercial premises (including multifamily premises with shared bin service).
8.20.173 Self-hauler requirements.
8.20.174 Waivers for generators.
8.20.180 Violations – Misdemeanors.
8.20.190 Enforcement
8.20.200 Requirements for commercial edible food generators.
8.20.210 Requirements for food recovery organizations and services.
8.20.220 Inspections and investigations by city pertaining to the requirements of SB 1383 contained with the city's municipal code.

8.20.010 Purpose.

The collection and disposal of solid waste is a matter requiring the control and regulation by the city in the manner set forth in this chapter in order to protect the public peace, health, safety and welfare of the citizens. (Ord. 1497 § 1 (part), 1996)

8.20.020 Definitions.

For the purpose of this chapter, unless otherwise apparent from the context, certain words and phrases used in this chapter are defined as set forth below. Words and phrases not ascribed a meaning by this chapter shall have the meaning ascribed by Public Resources Code Section 40105 et seq.

"Applicable law" means all laws, statutes, rules, regulations, guidelines, permits, actions, dete1minations, orders, or requirements of the United States, state of California, county of Los Angeles, city, regional or local government authorities, agencies, boards, commissions, courts or other bodies having applicable jurisdiction, including AB 939 and SB 1383.

"Back-haul" means generating and transporting source separated recyclable materials and/or source separated organic waste to a destination owned and operated by the generator using the generator's own employees and equipment, or as otherwise defined in 14 CCR Section 18982(a)(66)(A).

"Bin" means a rigid container with hinged lids and wheels with a capacity of at least one (1) cubic yard and less than ten (10) cubic yards.

"Blue container" has the same meaning as in 14 CCR Section 18982.2(a) and shall be used for the purpose of storage and collection of source separated recyclable materials.

"Brown container" has the same meaning as in 14 CCR Section 18982.2(a) and shall be used for the purpose of storage and collection of source separated food waste.

“Bulky items” means solid waste that cannot and/or would not typically be accommodated within a cart including specifically: furniture (including chairs, sofas, mattresses, and rugs); and appliances (including refrigerators, ranges, washers, dryers, water heaters, dishwashers, plumbing, small household appliances and other similar items, commonly known as “white goods”); residential wastes (including wood waste, tree branches, scrap wood, debris from building remodeling, rocks, sod and earth); electronic equipment (including stereos, televisions, computers and monitors, VCRs, microwaves and other similar items commonly known as “brown goods” and “e-waste”); universal waste (“u-waste”), and clothing. Bulky items do not include car bodies, tires, construction and demolition debris or items requiring more than two persons to remove. Other items not specifically included or excluded above will be collected by the solid waste collection operator provided that they are not more than eight feet in length, four feet in width, or more than 150 pounds. In the event a question ever arises as to whether a specific item or category of items meets the definition of bulky items, city shall be responsible to determine whether said definition shall apply, which determination shall be final and binding on the parties

“California Code of Regulations” or “CCR” means the state of California Code of Regulations. CCR references in this city municipal code are preceded with a number that refers to the relevant Title of the CCR (e.g., “14 CCR” refers to Title 14 of CCR).

“CalRecycle” means the state of California’s Department of Resources Recycling and Recovery, and, as this department was structured prior to January 1, 2010, the California Integrated Waste Management Board or CIWMB.

“Cart” means a polyethylene wheeled container with a hinged lid and wheels serviced by an automated or semi-automated truck with a capacity of no less that 30- and no greater than 101- gallons.

"City" means city of Gardena, California, a municipal corporation, and all the territory lying within the municipal boundaries of city.

“City manager” means the city manager of city. The city manager or his or her designee is the authorized agent of city in enforcing the terms of this municipal code.

"Collect", “collected” or "collection" means to take physical possession, transport, and remove solid waste within and from city. "Commercial collection" refers to services performed at or for commercial premises.

“Commercial edible food generators” includes tier one commercial edible food generators and tier two commercial edible food generators, or as otherwise defined in 14 CCR Section 18982(a)(7). For the purposes of this definition, food recovery organizations and food recovery services are not commercial edible food generators.

"Commercial premises" means premises upon which business activity is conducted, and any other premises not defined as residential premises, including but not limited to retail sales, services, wholesale operations, manufacturing and industrial operations, but excluding residential premises upon which business activities are conducted when such activities are permitted under applicable zoning regulations and are not the primary use of the property.

“Composting” or “compost” (or any variation thereof) includes a controlled biological decomposition of organic waste yielding a safe and nuisance free compost product.

“Compostable plastics” or “compostable plastic” means plastic materials that meet the ASTM D6400 standard for compostability.

"Construction and demolition debris" or “C&D material,” means any combination of inert building materials and solid waste resulting from construction, remodeling, repair, cleanup, or demolition operations as defined in California Code of Regulations, Title 22 Section 66261.3 et seq. This term includes, but is not limited to, asphalt, concrete, Portland cement concrete, brick, lumber, gypsum wallboard, cardboard, and other associated packaging; roofing material, ceramic tile, carpeting, plastic pipe and steel. The material may be commingled with rock, soil, tree stumps; and other vegetative matter resulting from land clearing and landscaping for construction or land development projects.

“Construction work” means construction, remodeling, repair, demolition or deconstruction of building, other structures, roads, parking lots and similarly paved or covered surfaces.

“Containers” shall mean any and all types of solid waste receptacles, including cans, carts, compactors, bins, roll-off boxes, and customer-provided receptacles.

“Contractor” means any person or entity holding or required to hold a contractor’s license of any type under the laws of the state of California or who performs, whether as a contractor, subcontractor, or building owner, any construction, demolition, remodeling, or landscaping service relating to building or accessory structures in the city.

“Designated waste” means non-hazardous waste which may pose special disposal problems because of its potential to contaminate the environment, and which may be disposed of only in Class II disposal sites or Class III disposal sites pursuant to a variance issued by the California Department of Health Services. Designated waste consists of those substances classified as designated waste by the state, in California Code of Regulations Title 23, Section 2522 as may be amended from time to time.

“Discarded materials” are a form of solid waste and shall be regulated as such. For purposes of this municipal code, material is deemed to have been discarded, without regard to whether it is destined for recycling or disposal, and whether or not is has been separated from other solid wastes, in all cases where a fee or other compensation, in any form or amount, is directly or indirectly solicited from, or, levied, charged, or otherwise imposed on, or paid by, the generator or customer in exchange for handling services. As used herein, handling services include, without limitation, the collection, removal, transportation, delivery, and processing and/or disposal of the material. Discarded materials do not include edible food that is recovered for human consumption and is not discarded. Discarded materials include source separated recyclable materials, source separated organic waste, food waste, gray/black container waste or mixed waste, and C&D once the materials have been placed in containers for collection.

"Disposal" or “disposed” means the ultimate disposition of solid waste at a landfill or otherwise in full regulatory compliance.

“Divert” or “diversion” (or any variation thereof) means to prevent discarded materials from disposal at landfill or transformation facilities, (including facilities using incineration, pyrolysis, distillation, gasification, or biological conversion methods) through source reduction, reuse, recycling, composting, anaerobic digestion or other method of processing, subsequent to the

provisions of AB 939 and SB 1383. Diversion is a broad concept that is to be inclusive of material handling and processing changes that may occur over time including, but not limited to, changes in standard industry practice or implementation of innovative (but not necessarily fully proven) techniques or technology that reduce disposal risk and/or are for other reasons deemed desirable by the city.

“Edible food” means food intended for human consumption, or as otherwise defined in 14 CCR Section 18982(a)(18). For the purposes of this ordinance or as otherwise defined in 14 CCR Section 18982(a)(18), “edible food” is not solid waste if it is recovered and not discarded. Nothing in this ordinance or in 14 CCR, Division 7, Chapter 12 requires or authorizes the recovery of edible food that does not meet the food safety requirements of the California Retail Food Code.

“Electronic waste” or “e-waste” means electronic equipment and includes, but is not limited to, stereos, televisions, computers and computer monitors, VCRs, cellular phones, fax machines, household copiers, computer printers, other items with electric plugs that are banned from landfilling, and other similar items commonly known as “brown goods.”

“Enforcement action" means an action of the city to address non-compliance with this ordinance including, but not limited to, issuing administrative citations, fines, penalties, or using other remedies.

"Environmental law" means any federal and state statute, county, local and city ordinance, rule, regulation, order, consent decree, judgment or common-law doctrine, and provisions and conditions or permits, licenses and other operating authorizations relating to (i) pollution or protection of the environment, including natural resources, (ii) exposure of persons, including employees, to hazardous substances or other products, raw materials, chemicals or other substances, (iii) protection of the public health or welfare from the effects of by-products, wastes, emissions, discharges or releases of chemical substances from industrial or commercial activities, or (iv) regulation of the manufacture, use or introduction into commerce of chemical substances, including, without limitation, their manufacture, formulation, labeling, distribution, transportation, handling, storage and disposal.

“Excluded waste ” means hazardous substance, hazardous waste, infectious waste, designated waste, volatile, corrosive, medical waste, infectious, regulated radioactive waste, and toxic substances or material that facility operator(s), which receive materials from the city and its generators, reasonably believe(s) would, as a result of or upon acceptance, transfer, processing, or disposal, be a violation of local, state, or federal law, regulation, or ordinance, including: land use restrictions or conditions, waste that cannot be disposed of in Class III landfills or accepted at the facility by permit conditions, waste that in city, or its designee’s reasonable opinion would present a significant risk to human health or the environment, cause a nuisance or otherwise create or expose city, or its designee, to potential liability; but not including de minimis volumes or concentrations of waste of a type and amount normally found in single-family or multi-family solid waste after implementation of programs for the safe collection, processing, recycling, treatment, and disposal of batteries and paint in compliance with Sections 41500 and 41802 of the California Public Resources Code. Excluded waste does not include used motor oil and filters, household batteries, universal wastes, and/or latex paint when such materials are defined as allowable materials for collection through the city’s collection programs and the generator or customer has properly placed the materials for collection pursuant to instructions provided by city or its designee for collection services.

“Food distributor” means a company that distributes food to entities including, but not limited to, Supermarkets and Grocery Stores, or as otherwise defined in 14 CCR Section 18982(a)(22).

“Food facility” has the same meaning as in Section 113789 of the Health and Safety Code.

“Food recovery” means actions to collect and distribute edible food for human consumption which otherwise would be disposed, or as otherwise defined in 14 CCR Section 18982(a)(24).

“Food recovery organization” means an entity that primarily engages in the collection or receipt of edible food from commercial edible food generators and distributes that edible food to the public for food recovery either directly or through other entities, including, but not limited to:

A. A food bank as defined in Section 113783 of the Health and Safety Code;

B. A nonprofit charitable organization; and,

C. A nonprofit charitable temporary food facility as defined in Section 113842 of the Health and Safety Code.

If the definition in 14 CCR Section 18982(a)(25) for food recovery organization differs from this definition, the definition in 14 CCR Section 18982(a)(25) shall apply to this municipal code.

“Food recovery service” means a person or entity that collects and transports edible food from a commercial edible food generator to a food recovery organization or other entities for food recovery; or as otherwise defined in 14 CCR Section 18982(a)(26).

“Food scraps” means all food such as, but not limited to, fruits, vegetables, meat, poultry, seafood, shellfish, bones, rice, beans, pasta, bread, cheese, and eggshells. Food scraps excludes fats, oils, and grease when such materials are source separated from other food scraps.

“Food service provider” means an entity primarily engaged in providing food services to institutional, governmental, commercial, or industrial locations of others based on contractual arrangements with these types of organizations, or as otherwise defined in 14 CCR Section 18982(a)(27).

“Food-soiled paper” means compostable paper material that has come in contact with food or liquid, such as, but not limited to, compostable paper plates, paper coffee cups, napkins, pizza boxes, and milk cartons.

“Food waste” means source-separated food scraps, food-soiled paper, and compostable plastics. Food waste is a subset of source separated green container organic waste (source separated organic waste).

“Franchise” means the right and privilege: (1) to make arrangements for the collection of and to collect; (2) to transport to landfills, processing facilities, material recovery facilities, transformation facilities or other licensed solid waste management facilities; and/or (3) to recycle from collected solid waste and recyclable solid wastes all solid waste, including

recyclable solid waste and organic waste, kept, generated and/or accumulated within the city. Any franchise is subject to all of the provisions and to any right held by any other solid waste enterprise which may hold rights pursuant to Public Resources Code Section 49520.

“Generator” means any person whose act first causes discarded materials to become subject to regulation under federal, state, or local regulations.

“Good faith effort” means the documented efforts of a franchisee, firm, person, or entity to meet its requirements to divert waste from disposal to the maximum extent practicable as stipulated by its city-approved permit, franchise, plan or other approved mechanism.

"Green waste" means tree trimmings, wood stumps, grass cuttings, dead plants, leaves, branches, flowers, plant stocks, and dead trees (not more than six (6) inches in diameter or 48 inches in length) and similar materials. Green waste is a subset of organic waste.
“Gray/black container” has the same meaning as in 14 CCR Section 18982.2(a) and shall be used for the purpose of storage and collection of gray/black container waste or mixed waste.

“Gray/black container waste” means solid waste that is collected in a gray/black container that is part of a three-container organic waste collection service that prohibits the placement of organic waste in the gray/black container as specified in 14 CCR Sections 18984.1(a) and (b) or as otherwise defined in 14 CCR Section 17402(a)(6.6). Gray/black container waste includes carpet and textiles.

“Green container” has the same meaning as in 14 CCR Section 18982.2(a) and shall be used for the purpose of storage and collection of source separated organic waste.

“Hauler” means any person, commercial or public entity which collects, hauls, or transports solid waste for a fee by use of any means, including, but not limited to, a dumpster truck, roll-off truck, side-load, front-load, or rear-load garbage truck, or a trailer.

“Hazardous substance” shall mean any of the following: (a) any substance defined, regulated or listed (directly or by reference) as “hazardous substances”, “hazardous materials”, “hazardous wastes”, “toxic waste”, “pollutant” or “toxic substances” or similarly identified as hazardous to human health or the environment, in or pursuant to (i) the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 USC Section 9601, et seq.; (ii) the Hazardous Substances Transportation Act, 49 USC Section 5101, et seq.; (iii) the Resource Conservation and Recovery Act, 42 USC Section 6901, et seq.; (iv) the Clean Water Act, 33 USC Section 1251, et seq.; (v) California Health and Safety Code Sections 25115-25117, 25249.8, 25281, and 25316; (vi) the Clean Air Act, 42 USC Section 7401, et seq.; and (vii) California Water Code Section 13050; (b) any amendments, rules, or regulations promulgated thereunder to such enumerated statutes or acts currently existing or hereinafter enacted; and (c) any other hazardous or toxic substance, material, chemical, waste, or pollutant identified as hazardous or toxic or regulated under any other applicable federal, state, and local environmental laws currently existing or hereinafter enacted, including without limitation, friable asbestos, polychlorinated biphenyl (“PCBs”), petroleum, natural gas and synthetic fuel products, and by-products.

“Hauler route” means the designated itinerary or sequence of stops for each segment of the city’s collection service area, or as otherwise defined in 14 CCR Section 18982(a)(31.5).

“High diversion organic waste processing Facility” means a facility that is in compliance with

the reporting requirements of 14 CCR Section 18815.5(d) and meets or exceeds an annual average mixed waste organic content recovery rate of 50 percent between January 1, 2022 and December 31, 2024, and 75 percent after January 1, 2025, as calculated pursuant to 14 CCR Section 18815.5(e) for organic waste received from the “mixed waste organic collection stream” as defined in 14 CCR Section 17402(a)(11.5); or, as otherwise defined in 14 CCR Section 18982(a)(33).

"Household hazardous waste" or “HHW” means material used in residences that may threaten human health or the environment when improperly discarded and usually has one or more of the following characteristics; flammable, toxic, corrosive, and/or reactive.

“Incompatible material” or “incompatibles” mean(s) human-made inert material, including, but not limited to, glass, metal, plastic, and also includes organic waste that the receiving end-user, facility, operation, property, or activity is not designed, permitted, or authorized to perform organic waste recovery activities as defined in 14 CCR Section 18983.1(b), or as otherwise defined by 14 CCR Section 17402(a)(7.5).

“Large event” means an event, including, but not limited to, a sporting event or a flea market, that charges an admission price, or is operated by a local agency, and serves an average of more than 2,000 individuals per day of operation of the event, at a location that includes, but is not limited to, a public, nonprofit, or privately owned park, parking lot, golf course, street system, or other open space when being used for an event. If the definition in 14 CCR Section 18982(a)(38) differs from this definition, the definition in 14 CCR Section 18982(a)(38) shall apply to this municipal code.

“Large venue” means a permanent venue facility that annually seats or serves an average of more than 2,000 individuals within the grounds of the facility per day of operation of the venue facility. For purposes of 14 CCR, Division 7, Chapter 12, a venue facility includes, but is not limited to, a public, nonprofit, or privately owned or operated stadium, amphitheater, arena, hall, amusement park, conference or civic center, zoo, aquarium, airport, racetrack, horse track, performing arts center, fairground, museum, theater, or other public attraction facility. For purposes of 14 CCR, Division 7 Chapter 12, a site under common ownership or control that includes more than one large venue that is contiguous with other large venues in the site, is a single large venue. If the definition in 14 CCR Section 18982(a)(39) differs from this definition, the definition in 14 CCR Section 18982(a)(39) shall apply to this municipal code.

"Materials recovery facility" means a permitted solid waste facility where solid wastes or recyclable materials are sorted or separated for the purposes of recycling, processing or composting.

“Mixed waste organic collection stream” or “mixed waste” means organic waste collected in a container that is required by 14 CCR Sections 18984.1, 18984.2, or 18984.3 to be taken to a high diversion organic waste processing facility, or as otherwise defined in 14 CCR Section 17402(a)(11.5). “Mixed waste” means mixed waste organic collection stream.

“Mulch” means a layer of material applied on top of soil, and, for the purposes of this municipal code, mulch shall conform with the following conditions, or conditions as otherwise specified in 14 CCR Section 18993.1(f)(4):

A. Meets or exceeds the physical contamination, maximum metal concentration, and pathogen density standards for land applications specified in 14 CCR Section 17852(a)(24.5)(A)(1) through (3).

B. Was produced at one or more of the following types of Facilities:

1. A compostable material handling operation or facility as defined in 14 CCR Section 17852(a)(12), that is permitted or authorized under Division 7 of Title 14 of the CCR, other than a chipping and grinding operation or facility as defined in 14 CCR Section 17852(a)(10);

2. A transfer/processing facility or transfer/processing operation as defined in 14 CCR Section 17402(a)(30) and (31), respectively, that is permitted or authorized under 14 CCR, Division 7, Chapter 12; or,

3. A solid waste landfill as defined in PRC Section 40195.1 that is permitted under 27 CCR, Division 2.

“Multi-unit residential premises” means any building and/or structure, or portion thereof, in city, which is used for residential housing purposes, irrespective of whether residents are transient, temporary or permanent, and having five (5) or more self-contained living units. “Non-compostable paper” includes, but is not limited to, paper that is coated in a plastic material that will not breakdown in the composting process, or as otherwise defined in 14 CCR Section 18982(a)(41).

“Non-organic recyclables” means non-putrescible and non-hazardous recyclable wastes including, but not limited to, bottles, cans, metals, plastics, and glass, or as otherwise defined in 14 CCR Section 18982(a)(43). Non-organic recyclables are a subset of source separated recyclable materials.

“Nonseparated solid waste” means that solid waste which may contain recyclable materials which have not been source separated by the customer.

“Operator” means a person authorized by the city, pursuant to this chapter, to operate a disposal site, transfer station or processing facility or collection system within the city, including those persons authorized by Public Resources Code Section 49520. “Operators” are city-authorized haulers.

“Organic waste” means solid wastes containing material originated from living organisms and their metabolic waste products including, but not limited to, food, green waste, organic textiles and carpets, lumber, wood, paper products, printing and writing paper, manure, biosolids, digestate, and sludges, or as otherwise defined in 14 CCR Section 18982(a)(46). Biosolids and digestate are as defined in 14 CCR Section 18982(a)(4) and 14 CCR Section 18982(a)(16.5), respectively.

"Person" means any individual, firm, association, organization, partnership, corporation, business trust, joint venture, the United States, the state of California, the county of Los Angeles, towns, cities, and special purpose districts.

“Pre-collection diversion programs” means those diversion efforts that involve separation of recyclables from refuse by the commercial and/or industrial premises, and storage in a

separate container for collection by solid waste franchisees and/or third-party recyclers for recycling or reuse. No third-party recyclers may charge or levy a fee for collection; but no law shall prohibit the sale or donation of recyclables to a third party. Any recyclable wastes for collection by a third party cannot contain more than ten percent disposable residue by weight.

"Premises" means any land or building in city where solid waste is generated or accumulated.

“Process”, “processed” or “processing” means the controlled separation, recovery, volume reduction, conversion, or recycling of solid waste including, but not limited to, organized, manual, automated, or mechanical sorting, the use of vehicles for spreading of waste for the purpose of recovery, and/or includes the use of conveyor belts, sorting lines, or volume reduction equipment, or as otherwise defined in 14 CCR Section 17402(a)(20).

“Prohibited container contaminants” means the following: (i) discarded materials placed in the blue container that are not identified as acceptable source separated recyclable materials; (ii) discarded materials placed in the green container that are not identified as acceptable source separated green container organic waste; (iii) discarded materials placed in the brown container that are not identified as acceptable source separated brown container food waste; (iv) discarded materials placed in the gray/black container that are acceptable source separated recyclable materials, source separated green container organic waste, and/or source separated brown container food waste, to be placed in green containers, brown containers, and/or blue containers; and (iv) excluded waste placed in any container.

“Recyclable materials” means materials, by-products, or components of such materials set aside, handled, packaged, or offered for collection in a manner different from solid waste for the purpose of recycling.

“Recyclable solid waste” means recyclable materials which have been source separated before having been discarded into the solid waste stream. Recyclable solid waste is a part of the solid waste stream which can be reused or processed into a form suitable for reuse through reprocessing or remanufacture.

“Recycle” or “Recycling” means the process of collecting, sorting, cleansing, treating, and reconfiguring materials for the purpose of returning them to the economic mainstream in the form of raw material for new, reused, or reconstituted products which meet the quality standards necessary to be used in the marketplace. Recycling includes processes deemed to constitute a reduction of landfill disposal pursuant to 14 CCR, Division 7, Chapter 12, Article 2. Recycling does not include gasification or transformation as defined in Public Resources Code Section 40201. “Recycling container” shall have the same meaning as blue container, green container, and/or brown container for the temporary accumulation and collection of source separated recyclable and organic waste.

“Refuse” means solid waste as defined in California Public Resources Code, Division 30, Part 1, Chapter 2, §40191 and regulations promulgated hereunder. Excluded from the definition of refuse are excluded waste, C&D, source separated recyclable materials, source separated organic waste, and radioactive waste. Notwithstanding any provision to the contrary, refuse may include de minimis volumes or concentrations of waste of a type and amount normally found in residential refuse after implementation of programs for the safe collection, recycling, treatment, and disposal of household hazardous waste in compliance with Section 41500 and 41802 of the California Public Resources Code as may be amended from time to time. Solid

waste includes salvageable materials only when such materials are included for collection in a refuse container not source separated from refuse at the site of generation.

“Renewable natural gas” or “RNG” means gas derived from organic waste that has been diverted from a landfill and processed at an in-vessel digestion facility that is permitted or otherwise authorized by 14 CCR to recover organic waste, or as otherwise defined in 14 CCR Section 18982(a)(62).

"Residential" refers to services performed at and for residential premises, which include both single-unit and multi-unit residential premises.

“Residential collection” means collection from residential premises.

“Residential premises” means premises upon which dwelling units exist, including, without limitation, single-unit and multi-unit residential premises, apartments, boarding or rooming houses, condominiums, mobile homes, efficiency apartments, and second units. Notwithstanding any provision to the contrary herein, in the Gardena municipal code, premises upon which the following uses are occurring shall not be deemed to be residential premises, and rather shall be deemed to be commercial premises: assisted living facilities, convalescent homes, dormitories, extended stay motels, group residential facilities, group care facilities, hotels, motels, and any other businesses not specifically listed at which residency is transient in nature and hence should be classified as commercial premises as determined by city on a case by case basis.

“Roll-off box” means solid waste collection containers of 10-yards or larger.

“Roll-off service” means those commercial bins supplied by operator for the temporary storage of solid waste resulting from temporary activities on a premise, such as the demolition or construction of a building.

“Scavenging” shall mean the uncontrolled pickup of solid waste from any location within the city by an unauthorized collector.

“SB 1383” means Senate Bill 1383 of 2016 approved by the Governor on September 19, 2016, which added Sections 39730.5, 39730.6, 39730.7, and 39730.8 to the Health and Safety Code, and added Chapter 13.1 (commencing with Section 42652) to Part 3 of Division 30 of the Public Resources Code, establishing methane emissions reduction targets in a statewide effort to reduce emissions of short-lived climate pollutants as amended, supplemented, superseded, and replaced from time to time. For the purposes of this municipal code, SB 1383 specifically refers to the Short-Lived Climate Pollutants (SLCP): organic waste reductions regulations developed by CalRecycle and adopted on November 3, 2020 that created Chapter 12 of 14 CCR, Division 7 and amended portions of regulations of 14 CCR and 27 CCR.

“Self-hauler” means a person, who hauls solid waste, organic waste or recyclable material they have generated to another person. Self-hauler also includes a landscaper, or a person who back-hauls waste. Back-haul means generating and transporting recyclable materials or organic waste to a destination owned and operated by the generator using the generator’s own employees and equipment, or as otherwise defined in 14 CCR Section 18982(a)(66)(A).

"Single-unit residential premises" means each premises used for or designated as a single-

unit residential dwelling, including each unit of a condominium project, duplex, triplex, townhouse, apartment building, or mobile home park in which each premises receives individual solid waste collection service using carts and consists of four (4) dwelling units or less per legal parcel.

"Solid waste" means all discarded putrescible and non-putrescible solid, semisolid, and liquid wastes, including refuse, construction and demolition debris, bulky items, recyclable materials, and organic waste, or any combination thereof which are permitted to be disposed of in a Class III landfill, and which are included in the definition of “non-hazardous solid waste” set forth in the California Code of Regulations. "Solid waste" means all solid wastes generated by residential, commercial, and industrial sources, and all solid waste generated at construction and demolition sites, and at treatment works for water and wastewater, which are collected and transported under the authorization of the city or are self-hauled by generators. Solid waste does not include agricultural crop residues, mining waste and fuel extraction waste, forestry wastes, ash from industrial boilers, furnaces and incinerators or hazardous substance, any waste which is not permitted to be disposed of at a Class III landfill and which fall within the definition of “nonhazardous solid waste” set forth in Title 23, Chapter 15, Section 2523(a) of the California Code of Regulations as amended or designated Class II wastes.

“Source separated” means materials, including commingled recyclable materials, that have been separated or kept separate from the solid waste stream, at the point of generation, for the purpose of additional sorting or processing of those materials for recycling or reuse in order to return them to the economic mainstream in the form of raw material for new, reused, or reconstituted products which meet the quality standards necessary to be used in the marketplace, or as otherwise defined in 14 CCR Section 17402.5(b)(4). For the purposes of this municipal code, source separated shall include separation of materials by the generator, property owner, property owner’s employee, property manager, or property manager’s employee into different containers for the purpose of collection such that source separated materials are separated from gray/black container waste/mixed waste and other solid waste for the purposes of collection and processing.

“Source separated blue container organic waste” or “blue container waste” means source separated organic waste that can be placed in a blue container that is limited to the collection of those organic wastes and non-organic recyclables as defined in 14 CCR Section 18982(a)(43); or as otherwise defined by 14 CCR Section 17402(a)(18.7). Source separated blue container organic waste is a subset of organic waste.

“Source separated brown container waste” means source separated food waste that can be placed in a brown container that is specifically intended for the separate collection.

“Source separated green container waste” means source separated organic waste that can be placed in a green container that is specifically intended for the separate collection of organic waste by the generator, excluding source separated blue container organic waste, carpets, non-compostable paper, and textiles. Source separated green container organic waste is a subset of organic waste.

“State” means the state of California.

“State required percentage” in relation to the diversion of construction and demolition waste

means that percentage of diversion required by Part 11, California Green Building Standards Code, as adopted by the city of Gardena.

“Tier one commercial edible food generator” means a commercial edible food generator that is one of the following, each as defined in 14 CCR Section 18982:

A. Supermarket.

B. Grocery store with a total facility size equal to or greater than 10,000 square feet.

C. Food service provider.

D. Food distributor.

E. Wholesale food vendor.

If the definition in 14 CCR Section 18982(a)(73) of tier one commercial edible food generator differs from this definition, the definition in 14 CCR Section 18982(a)(73) shall apply to this municipal code.

“Tier two commercial edible food generator” means a commercial edible food generator that is one of the following, each as defined in 14 CCR Section 18982:

A. Restaurant with 250 or more seats, or a total facility size equal to or greater than 5,000 square feet.

B. Hotel with an on-site food facility and 200 or more rooms.

C. Health facility with an on-site food facility and 100 or more beds.

D. Large venue.

E. Large event.

F. A state agency with a cafeteria with 250 or more seats or total cafeteria facility size equal to or greater than 5,000 square feet.

G. A local education agency with an on-site food facility.

If the definition in 14 CCR Section 18982(a)(74) of tier two commercial edible food generator differs from this definition, the definition in 14 CCR Section 18982(a)(74) shall apply to this municipal code.

“Transfer station or processing facilities” means those facilities utilized to receive solid wastes, temporarily store, separate, convert, or otherwise process the materials in the solid waste, or to transfer the solid waste directly from smaller to larger vehicles for transport, and those facilities utilized for transformation.

“Universal waste” or “u-waste” means any of the following waste that are conditionally exempt from classification as hazardous wastes pursuant to Title 22 of the California Code of Regulations (22 CCR), § 66261.9: (i) batteries as described in 22 CCR § 66273.2; (ii) thermostats as described in 22 CCR § 66273.4; (iii) lamps as described in 22 CCR § 66273.5; and (iv) cathode rate tube materials as described in 22 CCR § 66273.6.

“Vehicle” or “collection vehicle” means any truck, trailer or other conveyance or equipment including bins, used to collect, haul or transport solid waste or recyclable material.

“Waste stream” means any solid waste or other material which has been entered into a process whereby its ultimate disposition results in depository into a certified landfill. (Ord. 1797 § 1, 2018; Ord. 1653 § 1, 2004; Ord. 1649 § 2, 2003; Urg. Ord. 1648 § 2, 2003; Ord. 1497 § 1 (part), 1996)

8.20.030 Authorization required to collect.

No person shall collect, carry, convey or transport solid waste from or at any location within the city, unless such person is authorized to do so by a franchise granted by the council pursuant to subsection A of this section, or is otherwise exempt from the franchise requirement pursuant to subsection B of this section.

A. The council may award one or more franchises, for the collection of solid wastes from all or a portion of the residential and commercial premises in the city. Franchises shall be granted on such terms and conditions as the council shall establish in its sole discretion. At a minimum, franchises shall provide:

1. The franchisee shall comply with the provisions of this chapter;

2. The franchisee shall be required to protect, defend, indemnify and hold the city harmless from any liability, on a form provided by the city attorney in connection with granting of this franchise;

3. The franchisee shall be required to cooperate with the city in solid waste generation studies and the preparation of waste stream audit, and to submit information required by city to meet the reporting requirements of AB 939 and SB 1383 and to implement measures consistent with the city’s source reduction and recycling element in order for the city to reach the diversion and other goals mandated by the California Integrated Waste Management Act of 1989 (AB 939) and the Short-Lived Climate Pollutants (SLCP): Organic Waste Reductions regulations (SB 1383), as it may be amended from time to time;

4. The franchisee shall be required to pay a franchise fee in an amount to be determined by ordinance or resolution of the council; and

5. The franchisee shall not transfer, sell, sublet or assign the franchise, nor shall any of the rights or privileges therein be leased, assigned, sold in whole or in part, nor shall title thereto, either legal or equitable, or any right, interest or property therein, pass to or vest in any person, either by act of the franchisee or otherwise, unless authorization for such transfer, sale, subletting or assignment is obtained from the council.

B. Franchisees, permittees, and licensees providing residential, multifamily, commercial, or industrial organic waste collection services to generators within the city’s boundaries shall meet the following requirements and standards as a condition of approval of a contract, agreement, or other authorization with the city to collect organic waste:

1. Through written notice to the city annually on or before January 1, 2022 identify the facilities to which they will transport organic waste including facilities for source separated

recyclable materials, source separated blue container organic waste, source separated green container organic waste, source separated brown container waste, and mixed waste.

2. Transport source separated recyclable materials, source separated blue container organic waste, source separated green container waste, source separated brown container waste, and mixed waste to a facility, operation, activity, or property that recovers organic waste as defined in 14 CCR, Division 7, Chapter 12, Article 2.

3. Obtain approval from the city to haul organic waste, unless it is transporting source separated organic waste to a community composting site or lawfully transporting construction and demolition debris in a manner that complies with 14 CCR Section 18989.1, and the Gardena Municipal Code.

C. Franchisees, permittees, and licensees authorized to collect organic waste shall comply with education, equipment, signage, container labeling, container color, contamination monitoring, reporting, and other requirements contained within its franchise agreement, permit, license, or other agreement entered into with city. D. Exceptions. Notwithstanding subsection A of this section, a person may collect solid waste in the city without a franchise if that person:

1. Is an officer, employee or agent of the city in the course of official duty;

2. Is the owner or occupant of any premises within the city; provided, that the owner or occupant may transport only solid waste generated on the premises to a site where disposal or processing is permitted pursuant to applicable law and only on an occasional basis; or

3. Is a self-hauler, provided they comply with the provisions of section 8.20.173.

8.20.035 Requirements for facility operators and community composting operations.

A. No person shall operate a transfer station or processing facility, a material recovery facility or any other facility covered under the provisions of the Public Resources Code Section 40100 through Section 44017, from or at any location within the city, unless such person is authorized to do so by a host agreement granted by the council pursuant to subsection B of this section.

B. The council may award one or more host agreements, for the operation of a transfer station or processing facility, material recovery facility, or other facility covered under the provisions of the Public Resources Code Section 40100 through Section 44017.

C. The facility operator/owner shall comply with the provisions of this chapter, SB 1383, as well as those provisions set forth in the Public Resources Code.

D. The facility operator/owner shall be required to pay a host fee in an amount to be determined by resolution or ordinance of the council.

E. All facilities subject to the provisions of this chapter shall be subject to the issuance of a conditional use permit as specified in Title 18 of the Gardena Municipal Code.

F. Each person who, on the effective date of the ordinance enacting this chapter, is conducting a business under an existing license or permit issued by the city that is now required by this section to obtain a host agreement shall do so on or before the effective date of the ordinance enacting this provision or at such later date as may be established by the city council.

Owners of facilities, operations, and activities that recover organic waste, including, but not limited to, compost facilities, in-vessel digestion facilities, and publicly-owned treatment works shall, upon city request, provide information regarding available and potential new or expanded capacity at their facilities, operations, and activities, including information about throughput and permitted capacity necessary for planning purposes. Entities contacted by the city shall respond within 60 days.

H. Community composting operators, upon city request, shall provide information to the city to support organic waste capacity planning, including, but not limited to, an estimate of the amount of organic waste anticipated to be handled at the community composting operation. Entities contacted by the city shall respond within 60 days.

8.20.040 Licensing.

Each operator exercising rights under this chapter, in addition to obtaining a franchise from the council, shall possess a current city business license and shall display a current city-issued decal on each collection vehicle operating within the city. (Ord. 1497 § 1 (part), 1996)

8.20.050 Revocation and suspension of franchise, license or permit.

A. Any franchise issued under the provisions of this chapter is subject to revocation or suspension for cause.

B. Should the city manager determine that there is sufficient reason to authorize the suspension or revocation of a franchise, the city manager shall revoke or suspend the franchise by issuing a written order to the operator clearly stating the reasons for such suspension or revocation.

1. Unless the operator supplies proof of correction to the city manager within the timeframes more fully described in any executed agreement entered into between the city and operator, and dependent upon the nature of the action the permit or franchise may be revoked or suspended by the city manager. For actions that may be cured within a timeframe subject to a written order, the order shall be mailed by certified mail to the operator.

2. Should any franchise be revoked or suspended in accordance with this chapter, said operator shall have the right to appeal the decision to the council by means of a written request made within fifteen calendar days of the effective date of the suspension or revocation. All requests shall be mailed by certified mail to the city. The decision of the council shall be final.

3. Should a franchise issued to an operator be revoked, said operator shall not be issued a franchise to collect solid waste within the city until such time as the operator is able to demonstrate to the satisfaction of the council that the operator is able to comply with all of

the provisions of this chapter.

4. The rights of an operator pursuant to Section 8.20.030 may be suspended or revoked by the city pursuant to the procedures set forth in this section or as described in any executed agreement entered into between the city and operator. (Ord. 1497 § 1 (part), 1996)

8.20.060 Solid waste disposal and diversion.

A. Residential and multifamily premises. Each owner and each occupant of residential and multifamily premises shall dispose of solid waste through the services of a city-authorized waste hauler.

1. Residential Services. For design and planning purposes, all residential structures shall include adequate storage capacity to accommodate three standard ninety-six-gallon roll-out carts per unit.

2. Multifamily Dwellings. For design and planning purposes, where 5 or more multifamily dwelling units are constructed on a building site, provide readily accessible area(s) that serves all buildings on the site and are identified for the depositing, storage and collection of nonhazardous materials for recycling, including (at a minimum) paper, corrugated cardboard, glass, plastics, organic waste, and metals, or meet another local ordinance, if more restrictive.

B. Commercial premises. Each owner and each occupant of a commercial premises shall dispose of solid waste through the services of a city-authorized waste hauler.

1. The size of the bin shall be dependent on the use or uses on the commercial premisesand the frequency of services.

2. For design and planning purposes, provide readily accessible areas that serve the entire building and are identified for the depositing, storage and collection of non-hazardous materials for recycling, including (at a minimum) paper, corrugated cardboard, glass, plastics, organic waste, and metals or meet another local ordinance, if more restrictive.

C. All construction and demolition projects are subject to a waste diversion performance standard in the percentage amount required by the state of the total wastes generated. Waste diversion is calculated by dividing the total weight of waste diverted by the total weight of waste generated. Documentation of waste diversion, disposed and generated, must be based solely upon weight receipts or other documentation as approved by the city and based on approved guidelines or protocol of CalRecycle and CalGreen. Each construction and demolition project for which a building and/or demolition permit is applied for and approved must achieve the waste diversion performance standard or show a good faith effort to achieve that standard.

D. Diversion Deposit Requirement. As a condition precedent to issuance of any permit for a building or demolition project that involves the production of solid waste that may be delivered to a landfill and/or processing facilities, the applicant shall post a cash deposit in an amount in accordance with the scale set in Section 8.20.070(C), and shall pay an administrative fee set forth in Section 8.20.070(D). The deposit is refundable in whole, if the state required

percentage of waste diversion requirement is fulfilled, or partially, if the diversion requirement is fulfilled in part, or a good faith effort to comply is documented, or the city exempts the project from this requirement based on extenuating circumstances, infeasibility, or emergency. Any deposit for which a refund request has not been timely received, and the balance of deposits remaining after a partial refund, shall be retained by the city for use in paying the cost of waste diversion efforts. The city shall be the sole authority to determine the extent of refund based on the following criteria:

1. A full refund based on a deposit erroneously paid or collected.

2. A full refund when a building permit is withdrawn or cancelled before any work has begun.

3. A full refund, not including the administrative fee, when the state required percentage by weight of the waste generated by the project was diverted from disposal.

4. A partial refund, not including the administrative fee, when less than the state required percentage by weight of the waste generated was diverted from disposal and a good faith effort to conform to the requirement is documented, pro-rated on the basis of the percent of diversion attained.

5. No refund in whole or part shall be authorized unless, within twelve months of the receipt of the certificate of occupancy for the construction or demolition project, or within twelve months of the date that the permit application is withdrawn or cancelled on a project on which work has begun, the original building permit applicant files a written request for refund and provides documentation satisfactory to the city in support of the request.

E. Requirement for Collection of C&D Wastes. All construction and demolition waste as defined by this chapter that result from construction work shall be collected by a solid waste collection enterprise duly authorized by the city of Gardena. No C&D wastes can be carted by a nonauthorized firm or individual unless the materials carted are recyclable solid waste as defined by this chapter, and collected without fee, or sold or donated by the owner/occupant. One hundred percent of organic waste and recyclable materials must be diverted. One hundred percent of asphalt, concrete, dirt and rock must be diverted.

F. All commercial and industrial premises are hereby required to implement a pre-collection diversion system, or a combination thereof, as this chapter defines each. Pre-collection systems may be implemented with an independent third party or with the solid waste collection franchisee; but under no circumstances may the independent third party charge a fee for the service. Notwithstanding the requirements of this chapter, commercial and industrial premises may sell or donate materials to any firm or agency in accordance with state law. (Ord. 1797 § 4, 2018: Ord. 1741 § 1, 2012; Ord. 1649 § 3, 2004; Urg. Ord. 1648 § 3, 2003; Ord. 1497 § 1 (part), 1996)

8.20.065 Special events and venue facility operations.

A. Special Events. Any applicant seeking permission for the temporary or periodic use or occupancy of a public street, publicly owned site or facility, or public park within the city for a civic, commercial, recreational, or social event that requires a city permit which generates

solid waste such as, but not limited to, paper, beverage containers, or food shall develop a waste reduction and recycling strategy approved by the city of Gardena as part of the permit application. The waste reduction and recycling strategy shall include an estimate of the amount and types of waste anticipated from the event, proposed actions to reduce the amount of waste generation related to the event, and arrangements for separation, collection and diversion from landfills of reusable and recyclable materials. For large venues and special events of more than one thousand persons, the applicant shall ensure the implementation of the waste reduction strategy by the deposit to be determined by the city, which shall be refunded upon presentation within sixty days of the event of a weight or cubic yardage receipt for the recyclables from the receiving waste hauler, service charity, recycling center, or other such entity verifying that the materials will not be disposed in a landfill and a description of all other steps taken to reduce or prevent waste generated as a result of the event. Alternative documentation of diversion from the landfill may be acceptable if approved at the time of permit application.

B. Venue Facility Operations.

1. All venue facilities such as, but not limited to, stadiums, museums, concert halls, and parks and attractions located within the city shall separate and arrange for recycling all materials on the city's list of commercial recyclables. In addition, the facility shall prepare and adopt a waste prevention strategy approved by the city of Gardena to reduce the amount of waste material generated by facility operations. Where a venue facility owner provides space for a tenant, event management subcontractor, or permitted use of the facility, that owner shall also be responsible for the recycling and waste prevention performance of the facility user. In fulfillment of this requirement, venue waste generators may utilize, but are not limited to, drop-off and buy-back centers, independent recyclers, nonprofit social and charitable service organizations, or the recycling services of a city approved waste contract collector.

2. Any venue facility must participate in the recycling services offered by city approved waste contract collectors and may be subject to periodic waste audits. In addition, at the request of the city, venue facilities not participating in the recycling services offered by city approved waste contract collectors or found to not be implementing their waste reduction strategy shall submit to the city, at their own expense, annual reports which provide information on, but are not limited to, the waste prevention policies being implemented, and the type, amount, and destination of all solid waste disposed and each recyclable material sold or donated. The city may exempt certain venue facility generators from some of the requirements of this Section because they do not generate significant amounts of solid waste or recyclables at a particular event, or because of localized market conditions for a particular recyclable material.

C. Venue Facility Design, Construction and Demolition.

1. All construction, demolition, and renovation (C&D) projects within the city at venue facilities such as stadiums, museums, concert halls, and parks and attractions are subject to all of the requirements of the city's C&D Waste Diversion program, in accordance with Gardena municipal code section 8.20 and shall submit a Waste Management Strategy (Strategy) to the city prior to beginning any construction, demolition, or renovation activities. Compliance with the provisions of this section shall be listed as a condition of approval on any building or demolition permit issued and shall be considered as partial

satisfaction of the solid waste portion of the environmental mitigation requirements for the project. Submission and approval of a Strategy shall not be required, however, where emergency demolition is required to protect public health or safety.

2. The completed Waste Management Strategy shall include:

a. The estimated volume or weight of project C&D debris, by major material types, to be generated; the maximum volume or weight of such materials that can feasibly be diverted by deconstruction or salvage for reuse or source separated for collection and recycling; and the vendor or facility that the Applicant proposes to use to collect or receive that material.

b. The estimated volume or weight of C&D materials that will sent to the landfill.

c. The estimate volume or weight of reused or recycled-content materials to be used in construction, and any other actions or redesign/reengineering considerations made to reduce the amount of new construction materials used or extend the useable design-life of the facility.

d. The amount or volume of any additional disposed materials that will be generated by post-construction operations resulting from the construction or renovation; and the proposed design, engineering, and operational features such as, waste reduction policies, dedicated space for collection containers, and recyclable materials flow paths that will reduce wastes and support the ongoing recycling of materials generated by facility operations, and an estimate of the volume or weight of such materials that can feasibly be recycled or otherwise diverted from landfill.

3. In estimating the volume or weight of materials identified in the Strategy, the applicant shall use the material types and standardized conversion rates approved by the city for this purpose.

4. If an applicant experiences unique circumstances that make it infeasible to comply with the diversion requirements, the applicant may apply for an exemption at the time of Strategy submission by including the specific circumstances that make it infeasible to comply and the maximum rate of diversion believed to be feasible for each material.

5. The applicant for any covered project shall submit with the strategy a performance security, defined as the lesser of three percent of total project cost or an amount to be determined by the city. (Acceptable forms of performance security include: performance bonds, surety bonds, money orders, letters of credit, and certificates of deposit.) The city shall only approve a completed strategy if it meets the state required percentage for C&D debris generated by the project will be diverted from disposal through waste prevention, recycling, reuse, or other waste reduction activities; the project has made all feasible efforts to use recycled-content materials and sustainable design principles; the project provided for waste reduction and recycling of materials generated by post-construction facility operations; and the performance security is sufficient. If the director determines that it is infeasible for the applicant to meet the diversion requirements due to unique circumstances, the city may approve alternate diversion rates for one or more targeted materials.

6. Within [30] days after the completion of the covered project, the applicant shall submit

to the city receipts from the vendor or facility which collected or received the C&D material showing the actual weight or volume of each material diverted and to the landfill, receipts for reused or recycled-content materials purchased for the project, the description and amount of any on-site materials reused, a description of all other steps taken to reduce or prevent the waste generation, and a description of the construction and post-construction sustainability policies and actions taken as referenced in the strategy. The city shall review the information and determine whether the applicant has fully complied with the diversion requirements or made all feasible efforts to comply, considering the original waste reduction strategy and factors such as the availability of markets for the C&D debris, the size of the project, and the documented efforts to provide sustainable building and operations practices.

7. If the city determines that the applicant has not fulfilled the requirements or made a good faith effort to comply, or the applicant fails to submit the documentation required within the required time period, then the Performance Security shall be forfeited to the city. All forfeited Performance Securities shall be used for the purposes of promoting waste reduction, recycling, and environmentally sustainable construction within the city of Gardena.

8. Applicants for venue facility construction, demolition, and renovation projects within the city of Gardena shall be required to follow the policies and procedures of the city's C&D program, in accordance with this chapter, and divert at least the state required percentage of all project-related construction and demolition debris, purchase recycled content materials, and provide for environmentally sustainable design and operation of the facilities. (Ord. 1797 § 5, 2018; Ord. 1678 § 1, 2006)

D. Large event and large venue requirements – edible food recovery.

1. Large events and large venues must comply with the requirements of this section commencing January 1, 2024, pursuant to 14 CCR Section 18991.3.

2. Large venue or large event operators not providing food services, but allowing for food to be provided by others, shall require Food Facilities operating at the large venue or large event to comply with the requirements of this section, commencing January 1, 2024.

3. Large events and large venues shall comply with all of the following requirements:

a. Arrange to recover the maximum amount of edible food that would otherwise be disposed.

b. Contract with or enter into a written agreement with food recovery organizations or food recovery services for: (i) the collection of edible food for food recovery; or, (ii) acceptance of the edible food that the large venue or large event operator self-hauls to the food recovery organization for food recovery.

c. Not intentionally spoil edible food that is capable of being recovered by a food recovery organization or a food recovery service.

d. Allow city's designated enforcement entity or designated third party enforcement entity to access the premises and review records pursuant to 14 CCR Section 18991.4.

e. Keep records that include the following information, or as otherwise specified in 14 CCR Section 18991.4:

i. A list of each food recovery service or organization that collects or receives its edible food pursuant to a contract or written agreement established under 14 CCR Section 18991.3(b).

ii. A copy of all contracts or written agreements established under 14 CCR Section 18991.3(b).

iii. A record of the following information for each of those food recovery services or food recovery organizations:

(a) The name, address and contact information of the food recovery service or food recovery organization.

(b) The types of food that will be collected by or self-hauled to the food recovery service or food recovery organization.

(c) The established frequency that food will be collected or self-hauled.

(d) The quantity of food, measured in pounds recovered per month, collected or self-hauled to a food recovery service or food recovery organization for food recovery.

4. Maintain records required by this section for five (5) years.

5. No later than January 31 of each year that the large venue or large event operates, commencing no later than January 1, 2022, provide an annual food recovery report to the city that includes the following information:

a. The amount, in pounds, of edible food donated to a food recovery service or food recovery organization annually; and,

b. The amount, in pounds of edible food rejected by a food recovery service or food recovery organization annually.

c. Any additional information required by the city manager or their designee.

E. Nothing in this chapter shall be construed to limit or conflict with the protections provided by the California Good Samaritan Food Donation Act of 2017, the Federal Good Samaritan Act, or share table and school food donation guidance pursuant to Senate Bill 557 of 2017 (approved by the Governor of the state of California on September 25, 2017, which added Article 13 [commencing with Section 49580] to Chapter 9 of Part 27 of Division 4 of Title 2 of the Education Code, and to amend Section 114079 of the Health and Safety Code, relating to food safety, as amended, supplemented, superseded and replaced from time to time).

8.20.070 Solid waste charges – Payment.

A. Residential premises.

1. A charge fixed by resolution of the council for services rendered in the normal collection, removal, processing and disposal of solid waste shall be collected from the owner of each property in the city improved with residential premises. Each such owner shall be liable for the collection charge whether or not collection services are utilized. The charge shall be billed and collected by Golden State Water, unless the City or another entity is engaged to provide billing services.

2. Charges for special services provided to owners or occupants of residential premises, such as roll-off service or bin service, shall be billed by and paid directly to, the operator of the solid waste collection service.

3. The city may refund any fee, or portion thereof, paid pursuant to the provisions of this chapter, provided the fee is found and determined to have been entered, charged or paid illegally, or more than once, or through clerical error, or through the error or mistake of the city. No order for a refund shall be made except on a claim verified by the person who paid the fee, or the legal representative of such person, filed with the city clerk within one year after the payment sought to be refunded was paid. Refund claims shall be processed in accordance with Title 1, Division 3.6, Part 3 of the Government Code.

4. Exceptions. The monthly residential charges shall not apply to the following:

a. Any property which has been vacant for the month for which the charges are imposed. The burden shall be on the property owner to prove the vacancy;

b. Any property from which the solid waste is self-hauled to a landfill authorized to take such solid waste for the month the charges are imposed. Receipts showing the landfill and processing facility, the dates, the amount and type (e.g., refuse, recyclable materials, organic waste) of material self-hauled, and the amounts paid shall be required as proof.

B. Commercial and multifamily premises. The owners and occupants of commercial and multifamily premises shall pay for solid waste collection services at rates not in excess of maximum amounts and not less than minimum amounts, if any, as may be specified by resolution of the council, which amounts shall be billed by and paid directly to the operator of the solid waste collection service.

C. For regulated C&D projects, upon approval of the C&D waste diversion plan and prior to issuance of any permit, the contractor shall deposit the applicable amount with the city. The deposit shall be in cash, check, performance bond, cash bond, or credit card, payable to the city of Gardena in an amount according to the following schedule.

Value of Job	Recycling Deposit Requirement
Under $100,000	$5,000
$100,000 – $249,999	$7,500
$250,000 – $499,999	$10,000
$500,000+	$15,000

Funds received by the city as diversion deposits shall be used only for:

1. Payment of diversion deposit refunds.

2. Costs of administration of the program established by this chapter.

3. Cost of programs whose purpose is to divert C&D wastes from landfill disposal.

4. Costs of programs whose purpose is to develop or improve the infrastructure needed to divert C&D wastes from landfill disposal.

D. For a C&D project, a nonrefundable administrative fee of one percent of the project value shall be paid to the city, which fee shall not exceed five thousand dollars.

E. In the event that recyclable solid wastes are not donated or sold, commercial and industrial premises shall pay for collection and processing services in accordance with rates not in excess of maximum amounts and not less than minimum amounts, if any, as may be specified by resolution of the city council, which amounts shall be billed by and paid directly to the operator of the solid waste collection service. (Ord. 1797 §§ 6, 7, 2018; Ord. 1649 § 4, 2004; Urg. Ord. 1648 § 4, 2003; Ord. 1544 § 1, 1998; Ord. 1520 § 2, 1997; Ord. 1497 § 1 (part), 1996)

8.20.080 Charges – Nonpayment.

A. Charges for residential premises shall constitute a debt due the city for which the owner and tenant or occupant of the premises shall be jointly and severally liable, except as hereinafter provided, and no person liable therefor shall willfully fail, neglect, or refuse, after demand by the city, to pay such charges as prescribed by this chapter. Failure to pay such charges shall constitute a lien upon the property for which the charge is assessed. (Ord. 1497 § 1 (part), 1996)

B. Charges billed by the operator of the solid waste collection service. In the event payment in full is not made within sixty (60) days of billing, the operator of the solid waste collection service may suspend service.

8.20.090 Disposal and processing.

A. All solid waste collected in the city shall be disposed of or processed at a suitable site legally empowered to accept such material for disposal or processing. All processing facilities shall comply with the requirements of SB 1383

B. No person shall engage in the business of collecting, dumping or depositing any solid waste upon any property located within the city without first having obtained a special permit pursuant to Chapter 5.04 of this code. (Ord. 1497 § 1 (part), 1996)

8.20.100 Collection vehicles.

A. Collection vehicles used by operators within the city shall comply with the requirements of this section and shall conform to the highest industry standards.

B. Annual inspection by the California Highway Patrol is required for all collection vehicles. Inspection certificates for each collection vehicle shall be filed with the city manager.

C. Collection vehicles must be registered with the California Department of Motor Vehicles, and comply with South Coast Air Quality Management District Requirements and the California Air Resource Board requirements as they are currently in force and as they may be approved for solid waste removal vehicles, as well as other federal, state and local laws and regulations that may be enacted at any time.

D. Collection vehicles shall at all times be kept clean, in good repair and uniformly painted to the satisfaction of the city and shall comply with all measures and procedures promulgated by agencies having jurisdiction. Additionally all vehicles shall be disinfected on a regular basis.

E. Each vehicle shall be so constructed and used so that solid waste, oil, grease or other liquid will not blow, fall or leak out of the vehicle onto the street. All solid waste shall be transported by means of vehicles equipped with water-tight bodies fitted with close-fitting metal covers. Should any solid waste be dropped or spilled in collecting, transferring or transporting, it shall be immediately cleaned up. A broom and a shovel shall be carried on each vehicle at all times for such purpose.

F. The operator's name and telephone number shall be printed or painted in legible letters, not less than six inches in height and four inches in width and shall be prominently displayed on each side of the vehicle in a color sharply contrasting with the color of the vehicle.

G. The noise level generated by compaction vehicles using compaction mechanisms during the stationary compaction process shall not exceed a single-event noise level of seventy-five decibels (dba) at a distance of twenty-five feet from the collection vehicle measured at an elevation of five feet above ground level. Each operator shall submit to the city, upon request, a certificate of vehicle noise level testing by an independent testing entity approved by the city.

H. Each vehicle used for the collection, hauling and disposal of solid waste shall be equipped with an audible warning device that is activated when the vehicle is backing up.

I. Should the city at any time give notification in writing to the operator that any designated vehicle does not comply with the standards of this chapter, such vehicle shall forthwith be removed from service by the operator and not again so used hereunder until inspected and approved in writing by the city. (Ord. 1497 § 1 (part), 1996)

8.20.110 Containers/bins**.**

A. Containers. Every person occupying or in possession of any premises in the city shall provide sufficient portable containers for solid waste to accommodate the amount of solid waste generated by those particular premises, as follows:

1. Residential. Residential customers shall use the containers provided by the city's franchised waste hauler. Placement of such containers shall comply with the provisions set forth in Section 18.42.130, and SB 1383.

Upon the request of a residential premises owner or occupant, the operator shall provide roll-off service and other services reasonably related to the collection of solid waste.

2. Commercial. Containers shall be constructed of metal or plastic with tight-fitting lids constructed so as not to permit the contents to shift or pass through any opening therein, other than the top thereof, and shall comply with SB 1383. All containers/bins shall be stored in an enclosure and shall be sized for the appropriate size and number of refuse, recycling, and organic containers necessary to accommodate solid waste generated on the property. Placement of said containers shall comply with the provisions as set forth in Section 18.42.130.

3. Food facilities.

a. Food facilities shall maintain a FOG bin (fats, oils, grease), and the enclosure area should be sized to accommodate the access to and service of those bins. The size of waste and FOG bins varies by hauler. At a minimum, sufficient space must be provided to accommodate a one-and-one-half-cubic-yard bin for FOG waste or the amount of FOG generation rates anticipated to be created, whichever is larger.

b. Refuse enclosures shall have smooth surfaced interior walls (no exposed cinder block or brick work – putty coat plaster is acceptable), and a smooth surfaced concrete floor slab for cleaning ability. Gates installed for the enclosure shall be sealed surfaces.

B. Placement of containers – Residential. Each container shall be kept on the premises except on the collection day for that premises. The containers shall be placed for collection on the curb of a public street adjacent to the premises or where the premises are adjacent to a paved alley of sufficient width to allow the easy passage of the collection vehicles and emergency vehicles. For residences that take collection from an alley, the containers may be placed within two feet of the rear property line of the premises provided the placement does not conflict with other provisions of the Gardena Municipal Code. Each container shall be placed for collection not later than the hour upon which the collection is scheduled to commence in the area in which the premises are located and shall not be placed for collection earlier than twenty-four hours prior to the time the collection is scheduled to commence. All containers shall be removed within twenty-four hours after collection. Except, during the time a container is placed for curbside collection, containers shall not be visible from the public right-of-way.

C. Placement of containers – Commercial/Multifamily. Each container shall be placed in a manner that is accessible for collection and does not constitute an obstruction to public areas, right-of-way, or cause or contribute to littering or a nuisance and does not conflict with an area specifically designated for collection by the community development department, other city departments or Section 18.42.130. Waste containers and storage areas shall be screened from public view, including when placed in an alley.

D. Removal of containers. An operator who has been notified by a commercial or multifamily solid waste service recipient that commercial solid waste service is to be discontinued shall remove all of its commercial bins from the premises of the service recipient who is discontinuing service within one week following the receipt of notification that service is to be discontinued.

E. Securing of containers. All solid waste containers left outdoors, whether residential or commercial, shall be stored with the tops closed or otherwise securely fastened and shall be

maintained so that no solid waste or recyclable material placed therein shall be permitted to escape from the container.

F. Container Enclosure.

1. If a container enclosure is required, a concrete block wall shall be constructed on three sides, with a twelve-foot clear gate opening, a twelve-foot interior pad width and a twelve-foot interior pad depth. The wall shall have a minimum height of seven feet with a maximum height of ten feet.

2. Gates shall be made of solid metal. Gated openings for ingress/egress of bins must be a minimum of twelve feet wide with no posts in the middle. A separate, additional pedestrian entrance is encouraged from the backside. Gates shall be secure to the poles or walls through the use of bolts or welds, screws shall not be permitted. The gate shall have latches to hold the gate in the open position. All latches shall be installed on the exterior of the gates and latch rods shall be a minimum of thirty-six inches above ground level. Latch rods shall be a minimum of three-quarters inch in diameter. The receiver shall be three inches deep, one-inch inside diameter and flush with the ground. Hung gates must have a four-inch clearance off the finished pad or apron. Gates in the opened position shall not infringe on the traffic aisles and shall open to at least one hundred eighty degrees when secured open.

3. As more fully described below, the building official, shall ensure adequate space for recycling is incorporated into building plans as required by the California Code of Regulations, Title 23, the California Green Building Standards Code (CalGreen), Chapter 4 Residential Mandatory Measures, and Chapter 5 Nonresidential Mandatory Measures.

a. CalGreen Chapter 4 Section 4.410.2 Recycling by Occupants. Where 5 or more multifamily dwelling units are constructed on a building site, provide readily accessible area(s) that serves all buildings on the site and are identified for the depositing, storage and collection of nonhazardous materials for recycling, including (at a minimum) paper, corrugated cardboard, glass, plastics, organic waste, and metals, or meet another local ordinance, if more restrictive.

b. CalGreen Chapter 5 Section 5.410.1 Recycling by Occupants. Provide readily accessible areas that serve the entire building and are identified for the depositing, storage and collection of non-hazardous materials for recycling, including (at a minimum) paper, corrugated cardboard, glass, plastics, organic waste, and metals or meet another local ordinance, if more restrictive.

c. CalGreen Chapter 5 Section 5.410.1.1 Additions. All additions conducted within a 12-month period under single or multiple permits, resulting in an increase of 30 percent or more in floor area, shall provide recycling areas on site.

The building official shall report the number of construction and demolition debris removal activities conducted in compliance with 14 CCR Section 18994.2. Reports are due October 1, 2022 for the period of January 1, 2022 through June 30, 2022, and on or before August 1, 2023, and on or before August 1st each year thereafter.

4. Where a concrete block container enclosure is installed, vertical and horizontal steel reinforcement shall be required in accordance with the general services department

guidelines.

5. Curbs. Six-inch curbs shall be placed on the inside walls to protect the walls from bin impact.

6. Gate stops shall be installed to prevent enclosure gates from closing while bin is being cycled. All gates shall open one hundred eighty degrees and the latch rod shall have the same one-inch inside diameter receiver as the closed position requires.

7. Accessing the Enclosure. When a straight on approach cannot be accomplished to access the enclosure, a parallel approach shall be utilized and the service will be conducted by a side-load unit. Only in the event where a front-load service must be utilized, and a straight approach cannot be achieved, a radius of not more than thirty-one and nine-tenths degrees shall be used to make the approach into the enclosure.

8. Enclosures shall be screened with plant material whenever practical.

G. Stormwater Pollution Prevention. Enclosures shall be covered to prevent rain from falling on containers, compactors, or the enclosure floor and carrying contaminants to the stormwater system. Stormwater runoff from the roof of the enclosure area shall drain away from the enclosure area and shall drain to landscaping or other stormwater treatment system before discharging to the municipal storm sewer system. Enclosures shall be plumbed to the sanitary sewer so that waste spills, leaks, and wastewater from bin washouts does not run out of the enclosure area and into storm drains. Food service facilities (such as bakeries, restaurants, take-outs, and businesses with cafeterias) shall include a sanitary sewer connection in the enclosure area. If FOG is stored in the enclosure, the sanitary drain shall discharge to a grease interceptor. A trap primer is required in accordance with the California Plumbing Code. (Ord. 1797 § 8, 2018: Ord. 1497 § 1 (part), 1996)

8.20.120 Other prohibited activities.

A. It is unlawful for any person to deposit or bury, or cause or permit to be deposited or buried, within the city, any solid waste upon any premises, public or private.

B. It is unlawful for any person to interfere with the collection, conveyance, or disposal of solid waste.

C. No person, except the lawful operators as defined in this chapter, shall gather, collect, or transport solid waste within the city and exact charges for such services.

D. It is unlawful to deposit solid waste within or upon another person’s property or to use a container or bin for solid waste not attributable to the property upon which placement is based pursuant to this chapter.

E. It is unlawful for any property owner or occupant to allow solid waste and debris to be scattered or accumulate upon public right-of-way abutting his property.

F. It is unlawful for any person to cause or permit solid waste to accumulate at any place or premises under his charge or control for a period in excess of one week.

G. No person shall accumulate solid waste for more than seven consecutive days; nor shall

any person keep upon any premises in the city any solid waste which is offensive, obnoxious or unsanitary.

H. No person shall dump, deposit, release, spill, leak, pump, pour, emit, empty, discharge, inject, bury or dispose into the environment any liquid or solid waste upon any premises within the city, or cause the same thereto except in an authorized or permitted solid waste container or at an authorized or permitted solid waste facility.

I. No person shall construct or operate a solid waste management facility including but not limited to a materials recovery facility, solid waste transfer station or processing facility, composting facility, a buy-back or drop-off center, disposal facility or recycling center without first satisfying all city requirement for land use, environmental and other approvals.

J. No person, other than the owner thereof or his agents or employees, or an officer or employee of the city, or operator, shall tamper or meddle with any container, or the contents thereof, or remove the contents of the container, or remove the container from the location where the container shall have been placed by the owner thereof or his agent.

K. No operator shall transfer the load from one collection vehicle to another on any public street or road unless such transfer is essential to the method of operation and is approved by the city manager, or is necessary owing to mechanical failure or accidental damage to a vehicle.

L. Commingling of solid waste materials collected within the city with solid waste collected from outside of city shall be prohibited. The provisions set forth in this subsection, shall not be applicable to any transfer station or processing facility, or material recovery facility, operating under a host agreement granted pursuant to Section 8.20.035 of the Gardena Municipal Code.

M. Nothing in this chapter shall prevent any person from engaging in the collection of material for the sole purpose of the implementation of composting or other organic waste recycling programs. (Ord. 1497 § 1 (part), 1996)

8.20.130 Time and frequency of collections.

A. Residential. Collection shall be made between the hours of seven a.m. and seven p.m., Monday through Friday. In the case of a holiday, collection shall be made on the day following the regularly scheduled day of collection. During those weeks in which a holiday occurs, collection shall be made on the following Saturday.

B. Commercial. Collection from commercial premises where noise from collection vehicles may be audible in residential areas shall be made between the hours of seven a.m. and seven p.m., Monday through Friday. Site and route-specific exceptions may be made to this limitation by the city manager if requested by operator. If collections are not made on holidays, the collection shall be made on the day following the regularly scheduled day of collection.

1. Solid waste within commercial zones shall be collected at least one time per week or as often as deemed necessary to protect the health and safety of persons within the area.

2. Commercial food preparation establishments shall cause all food waste to be collected

and removed from the premises not less frequently than twice per week or as often as deemed necessary to protect the health and safety of those persons within the area. (Ord. 1497 § 1 (part), 1996)

8.20.140 Noise.

All collections shall be made as quietly as possible and in conformance with applicable city laws. (Ord. 1497 § 1 (part), 1996)

8.20.150 Indemnification and insurance. Requirements of Operators Engaged in Collection Services.

A. Indemnification of city. Without regard to the limits of any insurance coverage, each operator shall defend, indemnify and hold harmless city, its elected officials, officers, employees, volunteers and agents from and against any and all losses, fines, penalties, claims, damages, liabilities or judgments, including attorneys' fees, arising out of or resulting in any way from the operator's conduct of business in the city or the city granting the operator the right to conduct such business.

B. Hazardous substances indemnification.

C. Without regard to any insurance coverage or requirements, and without limiting the above general indemnification obligation in any way, operators specifically agree to and shall, to the maximum extent permitted by law, defend (with counsel acceptable to City), reimburse, indemnify, and hold Indemnitees harmless from and against any and all claims, actions, liabilities, damages, demands, judgments, losses, costs, liens, expenses, suits, actions, attorneys' fees, consultant fees, penalties and any and all other losses, damages, fees and expenses of whatever kind or nature ("Claims") (including but not limited to response costs, investigative costs, assessment costs, monitoring costs, treatment costs, cleanup costs, removal costs, remediation costs, and similar costs, damages and expenses) that arise out of or are alleged to arise out of or in any way relate to any action, inaction or omission of operator that:

1. Results in any demand, claim, notice, order, or lawsuit, asserting that any Indemnitee is liable, responsible or in any way obligated to investigate, assess, monitor, study, test, treat, remove, remediate, or otherwise cleanup, any Hazardous Contaminant (as defined herein); or

2. Relates to material collected, transported, recycled, processed, treated or disposed of by operator.

D. Operator's obligations pursuant to this section shall apply, without limitation, to:

1. Any Claims brought pursuant to or based on the provisions of any environmental law;

2. Any Claims based on or arising out of or alleged to be arising out of the ownership, use, lease, sale, design, construction, maintenance or operation of operator of any Facility.

3. Any Claims based on or arising out of or alleged to be arising out of the marketing, sale, distribution, storage, transportation, disposal, processing or use of any materials recovered by operator;

4. Any claims based on or arising out of or alleged to be arising out of any breach of any express or implied warranty, representation or covenant arising out of or in connection with any agreement entered into between the city and operator.

E. The foregoing indemnity and defense obligations shall apply irrespective of the negligence or willful misconduct of operator or any Affiliate of operator.

F. For purposes of this section, the term "Hazardous Contaminant" shall mean any hazardous substance any crude oil or refined or unrefined petroleum product or any fraction or derivative thereof; and any asbestos or asbestos-containing material. The term "Hazardous Contaminant" shall also include any and all amendments to any referenced statutory or regulatory provisions made G. CERCLA Defense Records. Each operator shall maintain data retention and preservation systems which can establish where solid waste collected in the city was landfilled (and therefore establish where it was not landfilled) with a copy or summary of the reports required by sections of this code, for fifty years after the term during which collection services are provided or to provide copies of such records to city. Operator agrees to notify city’s risk manager and city attorney before destroying such records. This provision shall survive the expiration of the period during which collection services are to be provided.

H. CalRecycle Indemnification and Guarantee.

Operator’s duty to defend and indemnify herein includes payment of all fines and/or penalties imposed by CalRecycle, subject to the restrictions set forth in Public Resources Code Section 40059.1, if the requirements of AB 939, AB 341, AB 1826, and/or SB 1383 and corresponding regulations are not met by the operator with respect to the discarded materials collected by operator, and such failure is: (i) due to the failure of operator to meet its obligations, or, (ii) due to operator delays in providing information that prevents operator or city from submitting reports required by AB 939, AB 341, AB 1826, and/or SB 1383 and corresponding regulations in a timely manner. The provisions of this Section shall survive the termination or expiration of any agreement entered into between the city and operator. In carrying out the provisions of this Section, operator agrees to perform the following obligations at its cost and expense:

I. Defend, with counsel approved by city, indemnify and hold harmless the city against all fines and/or penalties imposed by CalRecycle, if operator fails or refuses to provide information relating to its operations which is required by any agreement entered into between the city and operator and such failure or refusal prevents or delays city from submitting reports required by AB 939, AB 341, AB 1826, and/or SB 1383 in a timely manner;

J. Assist city in preparing for, and participating in, CalRecycle's biannual review of the city's source reduction and recycling element pursuant to Public Resources Code Section 41825;

K. Assist city in responding to inquiries from CalRecycle in applying for an extension under Public Resources Code Section 41820, if so, directed by city; in conducting any hearing conducted by CalRecycle relating to AB 939; or in any other investigative or enforcement

manner undertaken by any agency;

L. Defend, with counsel acceptable to city, and indemnify and hold harmless the city against any fines or penalties levied against it for violation of AB 939, AB 341, AB 1826, and/or SB 1383 requirements, provided that operator's obligation to indemnify city shall be subject to the limitations set forth in Public Resources Code Section 40059.1(c) as may be amended from time to time;

M. In cooperating with the city, should it seek to become its own enforcement agency, to the extent it may be permitted under state law.

N. Minimum Scope of Insurance. Coverage shall be at least as broad as:

1. The most recent editions of Insurance Services Office Commercial General Liability coverage ("occurrence" form CG 00 01).

2. The most recent editions of Insurance Services Office form number CA 00 01 covering Automobile Liability, code 1 "any auto" and endorsement CA 00 25.

3. Environmental/Pollution Liability Insurance in a form acceptable to the city attorney.

4. Workers' Compensation insurance as required by the Labor Code of the state of California and Employers Liability insurance.

O. Minimum Limits of Insurance. operator shall maintain in force for the term of any agreement entered into between the city and operator limits no less than:

1. Comprehensive General Liability: Five Million Dollars ($5,000,000) combined single limit per occurrence for bodily injury, personal injury and property damage. Such limits can be achieved through a combination of primary and excess liability policies.

2. Automobile Liability: Five Million Dollars ($5,000,000) combined single limit per accident for bodily injury and property damage. Such limits can be achieved through a combination of primary and excess liability policies.

3. Environmental/Pollution Liability Insurance. Five Million Dollars ($5,000,000) per loss and annual aggregate applicable to bodily injury; property damage, including loss of use of damaged property or of property that has not been physically damaged or destroyed; clean-up costs, including first party cleanup of the city's property and third-party cleanup, and bodily injury costs if pollutants impact other properties; and defense, including costs, fees and expenses incurred in the investigation, defense, or resolution of claims. Coverage shall include completed operations and shall apply to sudden and non-sudden pollution conditions. Coverage shall apply to acts, errors or omissions arising out of, or in connection with operator's scope of work under any agreement entered into between the city and operator.. Coverage shall also apply to non-owned deposit sites ("NODS") that shall protect against, for example, claims regarding bodily injury, property damage, and/or cleanup costs involving NODS. Coverage is preferred by the city to be occurrence based. However, if provided on a claims-made basis, operator warrants that any retroactive date applicable to coverage under the policy precedes the effective date of any agreement entered into between the city and operator, and that continuous coverage shall be maintained, or an extended discovery period will be exercised through completion or

termination of any agreement entered into between the city and operator, for a minimum of five (5) years. This provision does not limit or alter any rights or remedies to city allowable under any agreement entered into between the city and operator,.and/or applicable law in perpetuity.

4. Technology Professional Liability Errors and Omissions Insurance: (Cyber Liability) appropriate to the operator's profession and industry practice, with limits not less than Two Million Dollars ($2,000,000) per occurrence. Coverage for cyber risks shall be sufficiently broad to respond to the duties and obligations as are undertaken by operator under any agreement entered into between the city and operator, and shall include, but not be limited to claims involving infringement of intellectual property, including but not limited to infringement of copyright, trademark, trade dress, invasion of privacy violations, information theft, damage to or destruction of electronic information, release of private information, alteration of electronic information, extortion, and network security. The policy shall provide coverage for breach response notification and remediation costs, regulatory fines and penalties, credit monitoring expenses, electronic funds transfer losses, electronic data restoration expenses, and business interruption costs with limits sufficient to respond to these obligations, in the sole discretion of the city attorney.

5. Workers' Compensation and Employers Liability: Workers' compensation limits as required by the Labor Code of the state of California and Employers Liability limits of $1,000,000 per accident.

P. Deductibles and Self-Insured Retentions. Any deductibles or self-insured retentions must be declared to and approved by city, which approval shall not be unreasonably withheld. If, in the reasonable opinion of city, operator does not have sufficient financial resources to protect city from exposure with respect to any deductibles or self-insured retentions, at the option of city, either: the insurer shall reduce or eliminate such deductibles or self-insured retention's as respects city, its officials, employees and agents; or operator shall procure a bond guaranteeing payment of losses and related investigations, claim administration and defense expenses.

Q. Other Insurance Provisions. The policies are to contain, or be endorsed to contain, the following provisions:

1. General Liability Environmental Liability and Automobile Liability Coverages

a. City, its elective and appointive boards, commissions, officials, employees, agents and volunteers are to be named as additional insureds as respects: liability arising out of activities performed by or on behalf of operator; premises owned, leased or used by operator; or vehicles owned, leased, hired or borrowed by operator. The coverage shall contain no special limitations on the scope of protection afforded to city, its elective and appointive boards, commissions, officials, employees, agents or volunteers.

b. Operator's insurance coverage shall be primary insurance as respects city, its elective and appointive boards, commissions, officials, employees, agents and volunteers. Any insurance or self-insurance maintained by city, its officials, elective and appointive boards, commissions, employees, agents or volunteers shall be excess of operator's insurance and shall not contribute with it.

c. Any failure to comply with reporting provisions of the policies shall not affect coverage provided to city, its officials, elective and appointive boards, commissions, employees, agents or volunteers.

d. Coverage shall state that operator's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.

2. Workers' Compensation and Employers Liability Coverage - The insurer shall agree to waive all rights of subrogation against city, its officials, elective and appointive boards, commissions, employees, agents and volunteers for losses arising from work performed by operator for city.

3. All Coverages - Each insurance policy required by this clause shall be endorsed to state that coverage shall not be suspended, voided, canceled by either party, reduced in coverage or in limits except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to city.

R. Scope of Coverage. All of the above policies of insurance shall be primary insurance and shall name the city, its electives and appointive boards, commissioners, officials, officers, employees, and agents as additional insureds. The insurer shall waive all rights of subrogation and contribution it may have against the city, its electives and appointive boards, commissioners, officials, officers, employees, agents, and their respective insurers. In the event any of said policies of insurance are cancelled, operator shall, prior to the cancellation date, submit new evidence of insurance in conformance with this section to the city.

S. Acceptability of Insurers. The insurance policies required by this section shall be issued by an insurance company or companies authorized to do business in the state of California and with a rating in the most recent edition of Best's Insurance Reports of size category XIII or larger and a rating classification of A or better.

T. Verification of Coverage. Simultaneously with the execution of any agreement entered into between the city and operator, operator shall furnish city with certificates of insurance evidencing the coverage required herein, in form and substance satisfactory to city. The certificates for each insurance policy are to be signed by a person authorized by that insurer to bind coverage on its behalf. No work shall commence until operator has provided city with the Certificate(s) of Insurance or appropriate insurance binder(s) evidencing the required insurance coverage and said Certificate(s) of Insurance or binder(s) are approved by the city, which appraisal shall not be unreasonably withheld. Such certificates shall show the type and amount of coverage, effective dates and dates of expiration of policies and shall have all required endorsements. If city requests, copies of each policy, together with all endorsements, shall also be promptly delivered to city throughout the term of any agreement entered into between the city and operator,

U. Companies and Subcontractors. Operator shall include all companies and subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each operator and Subcontractor. All coverages for companies and subcontractors shall be subject to all of the requirements stated herein.

V. Required Cancellation Notices:

1. The certificate of insurance for the Workers' Compensation policy shall contain an endorsement in substantially the following form:

"Thirty (30) days prior written notice by certified mail, return receipt requested, shall be given to city in the event of cancellation, reduction in coverage, or non-renewal of this policy. Such notice shall be sent to:

City Manager (or designated representative)
City of Gardena
1700 West 162nd Street
Gardena, CA 90247

2. The certificate of insurance for the Public Liability policy shall contain endorsements in substantially the following form:

a. "Thirty (30) days prior written notice shall be given to city in the event of cancellation, reduction in coverage, or non-renewal of this policy. Such notice shall be sent to:

City Manager (or designated representative)
City of Gardena
1700 West 162nd Street
Gardena, CA 90247

b. "City, its officers, elective and appointive boards, commissions, employees, and agents are additional insureds on this policy."

c. "This policy shall be considered primary insurance as respects any other valid and collectible insurance maintained by city, including any self-insured retention or program of self-insurance, and any other such insurance shall be considered excess insurance only."

d. "Inclusion of city as an insured shall not affect city's rights as respects any claim, demand, suit or judgment brought or recovered against operator. This policy shall protect operator and city in the same manner as though a separate policy had been issued to each, but this shall not operate to increase operator's liability as set forth in the policy beyond the amount shown or to which operator would have been liable if only one party had been named as an insured."

Renewal certificates will be furnished periodically to city to demonstrate maintenance of the required coverage throughout the Term.

W. Other Insurance Requirements

1. In the event any services are delegated to a operator or Subcontractor, Operator shall require such operator or Subcontractor to provide statutory workers' compensation insurance and employer's liability insurance for all of the operator or Subcontractor's employees engaged in the work in accordance with this sectoin. The liability insurance required by this Section 9.4 shall cover all operator or Subcontractors or the operator or Subcontractor must furnish evidence of insurance provided by it meeting all of the requirements of this Section 9.4.

2. Operator shall comply with all requirements of the insurers issuing policies. The carrying of insurance shall not relieve operator from any obligation. If any claim exceeding the amount of any deductibles or self-insured reserves is made by any third person against operator or any operator or Subcontractor on account of any occurrence related to any agreement entered into between the city and operator, operator shall promptly report the facts in writing to the insurance carrier and to city.

If operator fails to procure and maintain any insurance required by this section, city may take out and maintain, at operator's expense, such insurance as it may deem proper and deduct the cost thereof from any moneys due operator.

8.20.160 Reporting requirements.

A. Each operator shall maintain all records relating to the services provided hereunder, including, but not limited to, route maps, customer lists, billing records, weight tickets, maps, AB 939 and SB 1383 records, and customer complaints, for the full term during which collection services are provided, and an additional period of not less than three years, or any longer period required by law. The city shall have the right, upon reasonable advance notice, to inspect, audit and copy all records which may be relevant to operations within the city or relating to the imposition of any fees which may imposed by the city. In the absence of extraordinary circumstances, two business days' notice shall be considered reasonable. Such records shall be made available to city at operator's regular place of business, but in no event outside the county of Los Angeles.

B. Should any examination or audit of operator's records reveal an underpayment to city by operator, the amount, plus interest compounded daily at the maximum lawful rate, shall be paid to city within thirty days.

C. Reporting Requirements. Operator shall cooperate with city and or designated consultants in solid waste disposal characterization studies and waste stream audits and shall implement measures adequate to achieve the city's source reduction, recycling and waste stream diversion goals for the solid waste stream. Operator, at its own expense, shall submit to city information and reports necessary for city to meet its reporting obligations imposed by AB 939 and/or other legislation, and the regulations implementing AB 939 and/or other legislation, with respect to the solid waste collected by operator in the city.

D. Reports and Records.

1. Monthly, Quarterly and Annual Reports. In addition to reports required by other provisions, operator shall also submit to city such other information or reports in such forms and at such times as the city may reasonably request or require or as set forth by resolution or incorporated into the operator's agreement with the City as may be amended from time to time.

2. Source Reduction and Recycling Plan ("SRRP"). Operator shall be required to submit an annual SRRP that is exclusive to the city. Each SRRP will be reviewed in detail to ensure that it meets the state-mandated requirements as established by AB 939 or other legislative requirements. The SRRP should examine in detail how the operator will accomplish these goals. The SRRP must include but is not limited to: (1) targeted materials including special wastes for source reduction, recycling and composting; (2)

hazardous waste exclusion plan; (3) diversion methods; (4) reporting methodology; (5) contingency plans; and (6) methods for the handling of white goods including CFC removal, PCB removal and compliance with the requirements of Public Resources Code Sections 42160-42185.

3. SB 1383 Reporting Requirements. Operator shall be required to submit reports required by 14 CCR Article 13

E. Hazardous Waste Inspection and Reporting. Operator shall inspect solid waste put out for collection and reject solid waste observed to be contaminated with hazardous substances. Operator shall notify all agencies with jurisdiction, if appropriate, including the California Department of Toxic Substances Control and Local Emergency Response Providers and the National Response Center, of reportable quantities of hazardous waste, found or observed in commercial solid waste anywhere within the city. In addition to other required notifications, if operator observes any substances which it or its employees reasonably believe or suspect to contain hazardous wastes unlawfully disposed of or released on any city property, including storm drains, streets or other public rights-of-way, operator will immediately notify the city manager.

F. Hazardous Waste Diversion Records. Operator shall maintain records showing the types and quantities, if any, of hazardous waste found in solid waste which was inadvertently collected from solid waste service recipients within the city, but diverted from landfilling.

G. Reports. All required reports and records shall be furnished at the sole expense of operator. Reports shall be submitted to the city manager. Operator shall submit all reports and information required on computer disks, or by modem, in a format compatible with city's computers, at no additional charge, if requested by city.

H. Certification. All reports provided herein shall be signed under penalty of perjury, by a responsible corporate official, that the report is true and correct.

I. The city shall reserve the right to require all commercial, industrial, institutional or other entities to comply with the conditions of the section should the city deem that the activities engaged in by the entity are of significant levels to warrant reporting.

J. C&D Waste Diversion Plan. Contractors are required to prepare and follow a C&D waste diversion plan that identifies the activities to be conducted during the course of the construction and/or demolition project to assure conformance with the city's requirement that the state required percentage of regulated C&D wastes must be diverted. The plan shall include but is not limited to a description of the following aspects: (1) targeted materials including special wastes for diversion, (2) diversion methods, (3) reporting methodology, (4) employee training, and (5) a contingency plan in the event that diversion methods are inadequate or infeasible for implementation. The C&D waste diversion plan shall be prepared and submitted to the city for review and approval with the building and/or demolition permit application. The contractor shall follow this plan and its activities are subject to city inspection for verification.

K. C&D Waste Diversion Report. Contractors are required to prepare and submit a C&D waste diversion report within sixty days of completion of the project to the city for review and approval. This report shall contain information documenting the good faith effort of the

contractor to meet the C&D waste diversion plan and demonstrating conformance with the state required percentage diversion requirement. The report shall contain as a minimum a completed “Waste Diversion Report Form,” originals or copies of all weight tickets or receipts documenting both disposal and diversion, and any other information attesting to or verifying the implementation of diversion activities. (Ord. 1797 § 9, 2018; Ord. 1649 § 5, 2004; Urg. Ord. 1648 § 5, 2003; Ord. 1497 § 1 (part), 1996)

8.20.170 Collection requirements.

8.20.171 Requirements for residential premises (including multifamily premises with cart service) service generators.

Residential premises organic waste generators shall comply with the following requirements:

A. Shall subscribe to city’s organic waste collection services for all organic waste generated as described below in this section. City shall have the right to review the number and size of a generator’s containers to evaluate adequacy of capacity provided for each type of collection service for proper separation of materials and containment of materials; and, residential premises generators shall adjust its service level for its collection services as requested by the city. Generators may additionally manage their organic waste by preventing or reducing their organic waste, managing organic waste on site, and/or using a community composting site pursuant to 14 CCR Section 18984.9(c).

B. Shall participate in the city’s organic waste collection service(s) by placing designated materials in designated containers as described below and shall not place prohibited container contaminants in collection containers.

1. Generator shall place source separated green container waste in the green container; source separated recyclable materials in the blue container; if applicable, source separated food waste in the brown container, and refuse in the gray/black container. Generators shall not place materials designated for the gray/black container into the green container, brown container or blue container.

8.20.172 Requirements for commercial premises (including multifamily premises with shared bin service).

Generators that are commercial premises, shall:

A. Subscribe to city’s four or three-container collection services and comply with requirements of those services as described below in this section. City shall have the right to review the number and size of a generator’s containers and frequency of collection to evaluate adequacy of capacity provided for each type of collection service for proper separation of materials and containment of materials; and commercial premises shall adjust their service level for their collection services as requested by the city.

B. Except commercial premises that meet the self-hauler requirements, participate in the city’s organic waste collection service(s) by placing designated materials in designated containers as described below.

1. Option 1: A three-container collection service: generator shall place source separated green container organic waste in the green container; source separated recyclable materials in the blue container; and refuse in the gray/black container. Generator shall not place materials designated for the gray/black container into the green container or blue container.

2. Option 2: Four-container collection service: generator shall place source separated yard waste in the green container; source separated recyclable materials in the blue container; source separated food waste in the brown container; and refuse in the gray/black container. Generator shall not place materials designated for the gray/black container into the green container, blue container, or brown container.

C. Supply and allow access to adequate number, size and location of collection containers with sufficient labels or colors (conforming with Sections 8.20.172(D)(1) and 8.20.172(D)(2) below) for employees, contractors, tenants, and customers, consistent with city's blue container, green container, brown container and gray/black container collection service or, if self-hauling, per the commercial premises instructions to support its compliance with its self-haul program.

D. Excluding multifamily premises, provide containers for the collection of source-separated green container organic waste and source separated recyclable materials in all indoor and outdoor areas where disposal containers are provided for customers, for materials generated by that premises. Such containers do not need to be provided in restrooms. If a commercial premises does not generate any of the materials that would be collected in one type of container, then the business does not have to provide that particular container in all areas where disposal containers are provided for customers. Pursuant to 14 CCR Section 18984.9(b), the containers provided by the business shall have either:

1. A body or lid that conforms with the container colors provided through the collection service provided by city, with either lids conforming to the color requirements or bodies conforming to the color requirements or both lids and bodies conforming to color requirements. Commercial premises are not required to replace functional containers, including containers purchased prior to January 1, 2022, that do not comply with the requirements of the subsection prior to the end of the useful life of those containers, or prior to January 1, 2036, whichever comes first.

2. Container labels that include language or graphic images, or both, indicating the primary material accepted and the primary materials prohibited in that container, or containers with imprinted text or graphic images that indicate the primary materials accepted and primary materials prohibited in the container. Pursuant 14 CCR Section 18984.8, the container labeling requirements are required on new containers commencing January 1, 2022.

E. Multifamily residential dwellings are not required to comply with container placement requirements or labeling requirements in Section 8.20.172(D) pursuant to 14 CCR Section 18984.9(b).

F. To the extent practical through education, training, Inspection, and/or other measures, excluding multifamily premises, prohibit employees from placing materials in a container not designated for those materials per the city's blue container, green container, brown container,

and gray/black container collection service or, if self-hauling, per the commercial premises' instructions to support its compliance with its self-haul program.

G. Excluding multifamily premises, periodically inspect blue containers, green containers, brown containers, and gray/black containers for contamination and inform employees if containers are contaminated and of the requirements to keep contaminants out of those containers pursuant to 14 CCR Section 18984.9(b)(3).

H. Annually provide information to employees, contractors, tenants, and customers about organic waste recovery requirements and about proper sorting of source separated green/brown container organic waste and source separated recyclable materials.

I. Provide education information before or within fourteen (14) days of occupation of the premises to new tenants that describes requirements to keep source separated green/brown container organic waste and source separated recyclable materials separate from solid waste (when applicable) and the location of containers and the rules governing their use at each property.

J. Provide or arrange access for city or its agent to their properties during all inspections conducted in accordance with Section 8.20.220 of this chapter to confirm compliance with the requirements of this chapter.

K. Accommodate and cooperate with city's remote monitoring program for inspection of the contents of containers for prohibited container contaminants, which may be implemented at a later date, to evaluate generator's compliance with Section 8.20.172(B). The remote monitoring program shall involve installation of remote monitoring equipment on or in the blue containers, green containers, brown containers and gray/black containers.

L. At commercial premises' option and subject to any approval required from the city, implement a remote monitoring program for inspection of the contents of its blue containers, green containers, and gray/black containers for the purpose of monitoring the contents of containers to determine appropriate levels of service and to identify prohibited container contaminants. Generators may install remote monitoring devices on or in the blue containers, green containers, brown containers and gray/black containers subject to written notification to or approval by the city or its designee.

M. If a commercial premises wants to self-haul, meet the self-hauler requirements in Section 8.20.173 of this chapter.

N. Nothing in this section prohibits a generator from preventing or reducing waste generation, managing organic waste on site, or using a community composting site pursuant to 14 CCR Section 18984.9(c).

O. Commercial premises that are tier one or tier two commercial edible food generators shall comply with food recovery requirements, pursuant to Section 8.20.200.

8.20.173 Self-hauler requirements.

A. No person shall cause, permit, or suffer the spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment, including the abandonment of or discarding of barrels, containers, and other

closed receptacles, or otherwise dispose of such solid waste, recyclables, or organic waste upon any street, alley, waterway, or other unauthorized place, or upon any unimproved lot or any other unlicensed place within or without the city.

B. Self-haulers shall obtain a city self-hauler permit and operate in accordance with this chapter. In order to obtain the permit, the self-hauler shall pay the fee established by resolution of the city council. Self-haulers are only permitted to collect, transport and dispose of solid waste generated by the self-hauler. Under no circumstances may a self-hauler collect, transport or dispose of solid waste not generated by the self-hauler. Notwithstanding any other provision of this chapter, self-haulers shall not be permitted to share, place solid waste in, or to otherwise use the bin, cart, roll-off box, or other container of another person or business. (Ord. 1797 § 2, 2018: Ord. 1497 § 1 (part), 1996).

C. Self-haulers shall source separate all recyclable materials and organic waste (materials that city otherwise requires generators to separate for collection in the city's organics and recycling collection program) generated on-site from solid waste in a manner consistent with 14 CCR Sections 18984.1 and 18984.2 or shall haul organic waste to a high diversion organic waste processing facility as specified in 14 CCR Section 18984.3.

D. Self-haulers shall haul their source separated recyclable materials to a facility that recovers those materials; and haul their source separated organic waste or source separated food waste to a facility, operation, activity, or property that processes or recovers source separated organic waste. Alternatively, self-haulers may haul organic waste to a high diversion organics waste processing facility.

E. Self-haulers that are commercial premises, or multifamily premises with bin service shall keep a record of the amount of organic waste delivered to each facility, operation, activity, or property that processes or recovers organic waste; this record shall be subject to Inspection by the city. The records shall include the following information:

1. Delivery receipts and weight tickets from the entity accepting the waste.

2. The amount of material in cubic yards or tons transported by the generator to each entity.

3. If the material is transported to an entity that does not have scales on-site or employs scales incapable of weighing the self-hauler's vehicle in a manner that allows it to determine the weight of materials received, the self-hauler is not required to record the weight of material but shall keep a record of the entities that received the organic waste.

8.20.174 Waivers for generators.

A. De minimis waivers. The city may waive a commercial premises' obligation (including multifamily premises with bin service) to comply with some or all of the organic waste requirements of this chapter if the commercial premises provides documentation that the business generates below a certain amount of organic waste material as described in Section 8.20.174(A)(2) below, and/or meets the self-hauling requirements of Section 8.20.173 of this chapter. Commercial premises requesting a de minimis waiver shall:

1. Submit an application specifying the services that they are requesting a waiver from and provide documentation as noted in Section 8.20.174(A)(2) below.

2. Provide documentation that either:

a. The commercial premises' total solid waste collection service is two cubic yards or more per week and organic waste subject to collection in a blue container, brown container or green container comprises less than 20 gallons per week per applicable container of the business' total waste; or,

b. The commercial premises' total solid waste collection service is less than two cubic yards per week and organic waste subject to collection in a blue container, brown container or green container comprises less than 10 gallons per week per applicable container of the business' total waste.

3. Notify city if circumstances change such that commercial premise's organic waste exceeds threshold required for waiver, in which case waiver will be rescinded.

4. Provide written verification of eligibility for de minimis waiver every 5 years, if city has approved de minimis waiver.

B. Physical space waivers. the city may waive a commercial premises' or property owner's obligations (including multifamily residential dwellings) to comply with some or all of the recyclable materials and/or organic waste collection service requirements if the city has evidence from its own staff, a hauler, licensed architect, or licensed engineer demonstrating that the premises lacks adequate space for the collection containers required for compliance with the organic waste collection requirements of Section 8.20.172.

A commercial premises or property owner may request a physical space waiver through the following process:

1. Submit an application form specifying the type(s) of collection services for which they are requesting a compliance waiver.

2. Provide documentation that the premises lacks adequate space for blue containers and/or brown containers or green containers including documentation from its hauler, licensed architect, or licensed engineer.

3. Provide written verification to city that it is still eligible for physical space waiver every 5 years, if city has approved application for a physical space waiver.

C. The city reserves the right to grant a de minimis or physical space waiver to a commercial premises that has not submitted a waiver application.

8.20.180 Violations – Misdemeanors.

The violation of any provision of this chapter shall constitute a misdemeanor punishable by imprisonment in a county jail not exceeding six months, or by fine exceeding one thousand dollars, or both. Each separate day, or any portion thereof, during which any violation of this chapter occurs or continues shall constitute a separate offense and, upon conviction thereof, shall be punishable as provided in this section. (Ord. 1497 § 1 (part), 1996)

8.20.190 Enforcement.

A. Pursuant to California Penal Code Section 836.5, the city manager, and/or designee, and any city code enforcement officer are authorized to enforce the provisions of this chapter and as well as those of California Penal Code Sections 374, 374a, 374.2, 374.3, 374.4, 374d, 374.7, and 375; California Government Code Section 68055 et seq.; and California Vehicle Code Sections 23111 and 23112.

B. Violation. Unless otherwise specified, the violation of any provision of this chapter is grounds for the issuance of an administrative citation and assessment of a fine. The city's procedures on imposition of administrative fines in Chapter 1.20 of the Gardena municipal code are hereby incorporated in their entirety, as modified from time to time, and shall govern the imposition, enforcement, collection, and review of administrative citations issued to enforce this chapter and any rule or regulation adopted pursuant to this chapter, except as otherwise indicated in this chapter. In accordance with CCR Section 18995.4 this subsection B shall not be effective prior to January 1, 2024.

C. Other remedies allowed by law may be used, including civil action or prosecution as misdemeanor or infraction. City may pursue civil actions in the California courts to seek recovery of unpaid administrative citations. City may choose to delay court action until such time as a sufficiently large number of violations, or cumulative size of violations exist such that court action is a reasonable use of city staff and resources.

D. Enforcement of SB 1383 regulations as included in this chapter.

1. City code enforcement officers and/or their designee will monitor compliance with this chapter through compliance reviews, route reviews, investigation of complaints, and an inspection program (that may include remote monitoring). Section 8.20.220 establishes city's right to conduct inspections and investigations.

2. City may issue an official notification to notify regulated entities of its obligations under this chapter.

3. Prohibited container contaminants. City will issue a notice of violation to any generator found to have prohibited container contaminants in a container. Such notice will be provided .in accordance with 14 CCR 18984.5(b). If the city observes prohibited container contaminants in a generator's containers on more than three (3) consecutive occasion(s), the city or its designee may assess contamination processing fees on the generator.

4. All other violations of SB 1383 regulations. With the exception of violations of the prohibited container contaminants provisions, beginning on January 1, 2024, violations of the SB 1383 regulations will be enforced as follows: (i) the city will issue a notice of violation requiring compliance within 60 days of the issuance of the notice; (ii) absent compliance by the respondent within the deadline set forth in the notice of violation, the city will commence an action to impose penalties, via an administrative citation and fine, pursuant to chapter 1.20 of the Gardena municipal code.

5. Notices of violation shall be sent to "owner" at the official address of the owner maintained by the tax collector for the city or if no such address is available, to the owner at the address of the residential, multifamily or commercial premises, or to the party responsible for paying for the collection services, depending upon available information.

The notice of violation may also be posted at the physical address where the violation occurred.

E. The penalty levels, unless otherwise specified in this chapter, are as follows:

1. For a first violation, the amount of the base penalty shall be $50 to $100 per violation.

2. For a second violation, the amount of the base penalty shall be $100 to $200 per violation.

3. For a third or subsequent violation, the amount of the base penalty shall be $250 to $500 per violation.

F. The city may extend the compliance deadlines set forth in a notice of violation issued for non-compliance with this chapter if it finds that there are extenuating circumstances beyond the control of the respondent that make compliance within the deadlines impracticable, including the following:

1. Acts of God such as earthquakes, wildfires, flooding, and other emergencies or natural disasters;

2. Delays in obtaining discretionary permits or other government agency approvals; or,

3. Deficiencies in organic waste recycling infrastructure or edible food recovery capacity and the city is under a corrective action plan with CalRecycle pursuant to 14 CCR Section 18996.2 due to those deficiencies.

G. Persons receiving an administrative citation containing a penalty for an uncorrected violation may request a hearing to appeal the citation pursuant to Section 1.20.060 of the Gardena Municipal Code.

H. Beginning January 1, 2022 and through December 31, 2023, city or their designee will conduct inspections, remote monitoring, route reviews or waste evaluations, and compliance reviews, depending upon the type of regulated entity, to determine compliance with this chapter, and if city determines that organic waste generator, self-hauler, hauler, tier one commercial edible food generator, food recovery organization, food recovery service, or other entity is not in compliance, it shall provide educational materials to the entity describing its obligations under this ordinance and a notice that compliance is required by January 1, 2022, and that violations may be subject to administrative civil penalties starting on January 1, 2024.

I. Beginning January 1, 2024, if the city determines that an organic waste generator, self-hauler, hauler, tier one or tier two commercial edible food generator, food recovery organization, food recovery service, or other entity is not in compliance with this chapter, unless otherwise specified in this chapter, it shall document the noncompliance or violation, issue a notice of violation, and take enforcement action, as needed.

In order to protect for the public health, safety, and well-being, and to prevent the spread of vectors, the owner, occupant, or other person responsible for the day-to-day operation of every property in the city shall make arrangements with an operator franchised or licensed by the city for the collection of solid wastes, recyclables, and/or organic waste as set forth in this chapter.

8.20.200 Requirements for commercial edible food generators.

A. Tier one commercial edible food generators must comply with the requirements of this section commencing January 1, 2022, and tier two commercial edible food generators must comply commencing January 1, 2024, pursuant to 14 CCR Section 18991.3.

B. Large venue or large event operators not providing food services, but allowing for food to be provided by others, shall require food facilities operating at the large venue or large event to comply with the requirements of this section, commencing January 1, 2024.

C. Commercial edible food generators shall comply with all of the following requirements:

1. Arrange to recover the maximum amount of edible food that would otherwise be disposed.

2. Contract with, or enter into a written agreement with, food recovery organizations or food recovery services for: (i) the collection of edible food for food recovery; or, (ii) acceptance of the edible food that the commercial edible food generator self-hauls to the food recovery organization for food recovery.

3. Shall not intentionally spoil edible food that is capable of being recovered by a food recovery organization or a food recovery service.

4. Allow city's designated enforcement entity or designated third party enforcement entity to access the premises and review records pursuant to 14 CCR Section 18991.4.

5. Keep records that include the following information, or as otherwise specified in 14 CCR Section 18991.4:

a. A list of each food recovery service or organization that collects or receives its edible food pursuant to a contract or written agreement established under 14 CCR Section 18991.3(b).

b. A copy of all contracts or written agreements established under 14 CCR Section 18991.3(b).

c. A record of the following information for each of those food recovery services or food recovery organizations:

i. The name, address and contact information of the food recovery service or food recovery organization.

ii. The types of food that will be collected by or self-hauled to the food recovery service or food recovery organization.

iii. The established frequency that food will be collected or self-hauled.

iv. The quantity of food, measured in pounds recovered per month, collected or self-hauled to a food recovery service or food recovery organization for food recovery.

D. Nothing in this chapter shall be construed to limit or conflict with the protections provided by the California Good Samaritan Food Donation Act of 2017, the Federal Good Samaritan

Act, or share table and school food donation guidance pursuant to Senate Bill 557 of 2017 (approved by the Governor of the state of California on September 25, 2017, which added Article 13 [commencing with Section 49580] to Chapter 9 of Part 27 of Division 4 of Title 2 of the Education Code, and to amend Section 114079 of the Health and Safety Code, relating to food safety, as amended, supplemented, superseded and replaced from time to time).

8.20.210 Requirements for food recovery organizations and services.

A. Food recovery services collecting or receiving edible food directly from commercial edible food generators, via a contract or written agreement established under 14 CCR Section 18991.3(b), shall maintain the following records, or as otherwise specified by 14 CCR Section 18991.5(a)(1):

1. The name, address, and contact information for each commercial edible food generator from which the service collects edible food.

2. The quantity in pounds of edible food collected from each commercial edible food generator per month.

3. The quantity in pounds of edible food transported to each food recovery organization per month.

4. The name, address, and contact information for each food recovery organization that the food recovery service transports edible food to for food recovery.

B. Food recovery organizations collecting or receiving edible food directly from commercial edible food generators, via a contract or written agreement established under 14 CCR Section 18991.3(b), shall maintain the following records, or as otherwise specified by 14 CCR Section 18991.5(a)(2):

1. The name, address, and contact information for each commercial edible food generator from which the organization receives edible food.

2. The quantity in pounds of edible food received from each commercial edible food generator per month.

3. The name, address, and contact information for each food recovery service that the organization receives edible food from for food recovery.

C. Food recovery organizations and food recovery services shall inform generators about California and Federal Good Samaritan Food Donation Act protection in written communications, such as in their contract or agreement established under 14 CCR Section 18991.3(b).

D. Food recovery organizations and food recovery services that have their primary address physically located in the city and contract with or have written agreements with one or more commercial edible food generators pursuant to 14 CCR Section 18991.3(b) shall report to the city annually by March 15, beginning March 15, 2023, it is located in the total pounds of edible food recovered in the previous calendar year from the tier one and tier two commercial edible food generators they have established a contract or written agreement with pursuant to 14 CCR Section 18991.3(b).

E. In order to support edible food recovery capacity planning assessments or other studies conducted by the city or its designated entity, food recovery services and food recovery organizations operating in the city shall provide information and consultation to the city, upon request, regarding existing, or proposed new or expanded, food recovery capacity that could be accessed by the city and its commercial edible food generators. A food recovery service or food recovery organization contacted by the city shall respond to such request for information within 60 days, unless a shorter timeframe is otherwise specified by the city.

8.20.220 Inspections and investigations by city pertaining to the requirements of SB 1383 contained with the city's municipal code.

A. City representatives and/or its designee, including designees are authorized to conduct inspections and investigations, at random or otherwise, of any collection container, collection vehicle loads, or transfer, processing, or disposal facility for materials collected from generators, or source separated materials to confirm compliance with this chapter by organic waste generators, commercial premises, multifamily premises with bin service, property owners, commercial edible food generators, haulers, self-haulers, food recovery services, and food recovery organizations, subject to applicable laws. This section does not allow city to enter the interior of a private residential premises for inspection. For the purposes of inspecting commercial premises containers for compliance with section 8.20.172(B) of this chapter, city and/or its designee may conduct container inspections for prohibited container contaminants using remote monitoring, and commercial premises shall accommodate and cooperate with the remote monitoring pursuant to section 8.20.172(K) of this chapter.

B. Property owner, manager, or their designee shall provide or arrange for access during all Inspections (with the exception of residential premises interiors) and shall cooperate with the city's employee or its designated entity/designee during such inspections and investigations. Such inspections and investigations may include confirmation of proper placement of materials in containers, edible food recovery activities, records, or any other requirement of this chapter described herein. Failure to provide or arrange for: (i) access to an entity's premises; (ii) installation and operation of remote monitoring equipment (optional); or (iii) access to records for any inspection or investigation is a violation of this chapter and may result in penalties described.

C. Any records obtained by a city or its designee during its inspections, remote monitoring, and other reviews shall be subject to the requirements and applicable disclosure exemptions of the Public Records Act as set forth in Government Code Section 6250 et seq.

D. City representatives, its designated entity, and/or designee are authorized to conduct any inspections, remote monitoring, or other investigations as reasonably necessary to further the goals of this chapter, subject to applicable laws.

SECTION 3. Chapter 2.60 (Purchasing System) is amended by adopting and adding Section 2.60.180 to the Gardena Municipal Code to read as follows:

SECTION 2.60.180. Recycled-Content Paper Procurement Requirements for City Departments, Direct Service Providers, and Vendors.

(A) All vendors providing Paper Products and Printing and Writing Paper shall:

(1) If fitness and quality are equal, provide Recycled-Content Paper Products and Recycled-Content Printing and Writing Paper that consists of at least 30 percent (30%), by fiber weight, postconsumer fiber instead of non-recycled products whenever recycled Paper Products and Printing and Writing Paper are available at the same or lesser total cost than non-recycled items or at a total cost of no more than 10% of the total cost for non-recycled items.

(2) Provide Paper Products and Printing and Writing Paper that meet Federal Trade Commission recyclability standard as defined in 16 Code of Federal Regulations (CFR) Section 260.12.

(3) Certify in writing, under penalty of perjury, the minimum percentage of postconsumer material in the Paper Products and Printing and Writing Paper offered or sold to the City. This certification requirement may be waived if the percentage of postconsumer material in the Paper Products, Printing and Writing Paper, or both can be verified by a product label, catalog, invoice, or a manufacturer or vendor internet website.

(4) Certify in writing, on invoices or receipts provided, that the Paper Products and Printing and Writing Paper offered or sold to the City are eligible to be labeled with an unqualified recyclable label as defined in 16 Code of Federal Regulations (CFR) Section 260.12 (2013).

(5) Provide records to the City's recordkeeping designee of all Paper Products and Printing and Writing Paper purchases within thirty (30) days of the purchase (both recycled-content and non-recycled content, if any is purchased) made by any division or department or employee of the City. Records shall include a copy (electronic or paper) of the invoice or other documentation of purchase, written certifications as required in Sections 308.150(a)(3) and 308.150(a)(4) for recycled-content purchases, purchaser name, quantity purchased, date purchased, and recycled content (including products that contain none), and if non-recycled content Paper Products or Printing and Writing Papers are provided, include a description of why Recycled-Content Paper Products or Printing and Writing Papers were not provided.

(6) Maintain records required by 308.150(a)(5) for five (5) years.

(B) Definitions

(1) "Paper Products" include, but are not limited to, paper janitorial supplies, cartons, wrapping, packaging, file folders, hanging files, corrugated boxes, tissue, and toweling, or as otherwise defined in 14 CCR Section 18982(a)(51).

(2) "Printing and Writing Papers" include, but are not limited to, copy, xerographic, watermark, cotton fiber, offset, forms, computer printout paper, white wove envelopes, manila envelopes, book paper, note pads, writing tablets, newsprint, and other uncoated writing papers, posters, index cards, calendars, brochures, reports, magazines, and publications, or as otherwise defined in 14 CCR Section 18982(a)(54).

(3) "Recycled-Content Paper" means Paper Products and Printing and

Writing Paper that consists of at least 30 percent, by fiber weight, postconsumer fiber, or as otherwise defined in 14 CCR Section 18982(a)(61).

SECTION 4. Notification of Intent to Comply. If the City encounters difficulty in timely implementation of this ordinance the City Manager is directed to submit a notification of intent to comply to CalRecycle in accordance with Public Resources Code Section 42652.5.

SECTION 5. CEQA Compliance. The adoption of this Ordinance is exempt from CEQA pursuant to CEQA Guidelines section 15061(c)(3) which provides that a project is exempt from CEQA when it is covered by the general rule that CEQA only applies to projects which have the potential for causing a significant effect on the environment and does not apply where it can be seen with certainty that there is no possibility of a significant effect. Staff is directed to file a Notice of Exemption with the County Clerk.

SECTION 6. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase be declared unconstitutional.

SECTION 7. Certification. The City Clerk shall certify the passage of this ordinance and shall cause the same to be entered in the book of original ordinances of said City; shall make a minute passage and adoption thereof in the records of the meeting at which time the same is passed and adopted; and shall, within fifteen (15) days after the passage and adoption thereof, cause the same to be published as required by law, in a publication of general circulation.

SECTION 8. Effective Date. This ordinance shall not become effective or be in force until thirty (30) days from and after the date of its adoption.

Passed, approved, and adopted this_____day of_____, 2021.

_____
TASHA CERDA, Mayor

ATTEST:

_____
MINA SEMENZA, City Clerk

APPROVED AS TO FORM:

_____
CARMEN VASQUEZ, City Attorney