

Agenda Report

October 5, 2020

TO: Honorable Mayor and City Council

THROUGH: Municipal Services Committee (September 22, 2020)

FROM: Office of City Manager, Internal Audit Division

SUBJECT: RESPONSE TO LOS ANGELES COUNTY CIVIL GRAND JURY REPORT "A DIET FOR LANDFILLS: Cutting Down on Food Waste"

RECOMMENDATION:

It is recommended that the City Council:

1. Find that the City's response to the Grand Jury's Report is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15061(b)(3) (Common Sense Exemption); and
2. Authorize the Mayor to transmit the proposed responses, which appear in the body of this agenda report, to the Presiding Judge of the Los Angeles County Superior Court for those portions of the Civil Grand Jury's Final Report 2019-2020 – "A DIET FOR LANDFILLS: Cutting Down on Food Waste" that address the City of Pasadena, in order to comply with the recommendations listed in the Report.

EXECUTIVE SUMMARY:

The Los Angeles County Civil Grand Jury released a report "A DIET OF LANDFILLS: Cutting Down on Food Waste" on July 8, 2020. The City of Pasadena along with 87 other cities in the County are required to respond. The report was released to the public on July 31, 2020. A response to all recommendations in a Civil Grand Jury report is required by California Penal Code Sections 933(c), 933.05(a), and 933.05(b) within 90 days following the release of the report to the public, and no later than October 30, 2020.

The report contains 14 recommendations, and the City of Pasadena is required to respond to six of the 14 recommendations. The 14 recommendations are listed below, those pertaining to Pasadena are in bold.

- 1.1. **Each of the 88 cities, and the County's unincorporated areas, should establish a weekly food waste drop-off center. The center can be at a farmer's market, such as the one held each Thursday near Los Angeles City Hall, or at another appropriate site. City and County officials can arrange for the food waste collected to be taken to a nearby facility for recycling, or can establish contracts with organizations such as the Los Angeles Community Garden Council or landscaping companies for composting.**
- 1.2. County officials should initiate programs using composting technology (such as Compostology or Earth Cube) that can compact food waste and can be easily installed in offices and schools.
- 1.3. **County and City officials should create an incentive program for residents and businesses to separate food waste. This could be in the form of a gift card to local grocery store/farmer's market, or a discount on a solid waste fee. For example, in the city of Santa Barbara, 150 businesses (restaurants, grocery stores, coffee shops, etc.) have signed up for the city's *Foodscraps* program, and can save several hundred dollars a month off their trash collection fee.**
- 1.4. County officials should work with community colleges and workforce training programs, to increase classes about food waste recycling and careers in waste management that focus on diversion and conversion technologies.
- 1.5. County officials should create a garden/compost program at Pitchess Detention Center in Castaic and investigate the option of a garden at some or all of the juvenile detention facilities.
- 1.6. **The County Department of Public Health should develop a program to train its 300 food inspectors as "ambassadors" when they are in the field. The inspectors need to be armed with the Food DROP brochure, as well as information about how that establishment can safely separate and recycle any food waste. (This recommendation is also for Long Beach and Pasadena, which have their own Public Health departments.)**
- 1.7. **The County Department of Public Health should take the lead in creating a food wasted education component as part of its permit process required for all outdoor public events that will be serving food. Department officials can work with the event manager ahead of time to plan for excess edible food donation, and for how food waste will be**

collected and separated. (This recommendation is also for Long Beach and Pasadena, which have their own Public Health departments.)

- 1.8. County officials should modify contracts with food vendor companies that are inside County facilities, such as the Hollywood Bowl, the Arboretum, the Los Angeles County Museum of Art, and cafeterias located at County hospitals, to include food waste separation and recycling. Especially at the Hollywood Bowl which draws more than 17,000 people for most of its summer concert events, has several food options onsite, and traditionally draws large pre-concert picnicking crowds, implanting a food waste recycling program can be part of a public education campaign.**
- 1.9. The County Board of Supervisors should require that the vendor operating the Hall of Administration cafeteria institute procedures to separate food waste, both in the food prep area, and in the dining room.
- 1.10. The City of Los Angeles should partner with LA Compost to expand that organization's footprint in the city to increase its capacity to collect and compost food waste.
- 1.11. The City of Los Angeles should work with its 99 Neighborhood Councils to increase public education around food waste separation/recycling programs.
- 1.12. All 80 school districts located in the County should work with local public works and health department officials to create a garden can compost program in every school, and monitor edible food recovery efforts.
- 1.13. All 80 school districts should develop a garden/compost program that can be available for students in the myriad after-school daycare options available on campus (LACER, After the Bell, STAR, etc.).
- 1.14. Elected officials in the County and cities should adopt the 11 suggestions in the March 2018 Countywide Organics Waste Management Plan and express support for the need to increase capacity and site and build new facilities to handle organic waste.**

BACKGROUND:

The Los Angeles County Civil Grand Jury consists of 23 members and a number of designated alternates that are sworn in for a 12-month period. The primary function of the Civil Grand Jury is to investigate county, city and joint-power agencies. The Civil Grand Jury acts in an oversight function by examining the operations of various government agencies within Los Angeles County. To carry out this function, the Civil Grand Jury is divided into committees, each of which concentrates on certain areas under investigation. These committees visit facilities, meet with officials, and develop

recommendations for improving government operations. No later than the end of its term the Grand Jury is required by law to submit a final report of its findings and recommendations to the Presiding Judge of the Superior Court. Agencies to which these findings/recommendations are directed are required to respond within 90 days.

According to the Grand Jury Report, the methodology used to determine the recommendations included:

- 1) visiting landfills and other related facilities,
- 2) interviewing waste management experts,
- 3) conducting in-person and phone interviews, site visits and research into a number of the 88 cities to assess food waste collection services available,
- 4) conducted on-site visits to the trash areas of some buildings in the County that generate a large amount of food waste, and
- 5) researched cities in the United States and in other countries that are separating and recycling food waste.

GRAND JURY RECOMMENDATIONS AND PROPOSED CITY RESPONSES:

The City of Pasadena Public Health Department and Public Works Department are proposing the following responses to the Civil Grand Jury Report's recommendations.

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

City's Proposed Response: The City disagrees with this recommendation. A weekly food waste drop off center would likely result in minimal diversion, possible contamination, hazardous inputs and expenditure of City resources that are already designated for more effective programs. The City's Public Works Department will focus on establishing comprehensive organics recycling systems to maximize organics diversion and participation. The City is mandated by state law SB 1383 to establish residential and commercial organics recycling programs that must be in place by January 1, 2022. The final rules for SB 1383 have not yet been finalized. The City's residential and commercial organics recycling systems will be in place and ready to commence no later than January 1, 2022.

Grand Jury Response 1.3: County and City officials should create an incentive program for residents and businesses to separate food waste. This could be in the form of a gift card to local grocery store/farmer's market, or a discount on a solid waste fee. For example, in the city of Santa Barbara, 150 businesses (restaurants, grocery stores,

coffee shops, etc.) have signed up for the city's *Foodscraps* program, and can save several hundred dollars a month off their trash collection fee.

City's Proposed Response: The City does not support creating incentives programs for recycling organics and other materials. Organics processing/recycling in the Los Angeles region is approximately 30 percent more costly than landfilling. The City of Santa Barbra example is not applicable to the Los Angeles region as the landfill tipping fees in Santa Barbra are significantly more costly than their organics processing fee. The City's Public Works Department will focus on establishing comprehensive organics recycling systems to maximize organics diversion and participation as mandated by state law SB 1383 by January 1, 2022. The City is required by the State to have the organic waste recycling systems in place by January 1, 2022 and begin enforcement actions of the systems beginning January 1, 2024. The final rules for SB1383 are still in development, the City's systems will be in place to meet the deadlines set by the State.

Grand Jury Response 1.6: The County Department of Public Health should develop a program to train its 300 food inspectors as "ambassadors" when they are in the field. The inspectors need to be armed with the Food DROP brochure, as well as information about how that establishment can safely separate and recycle any food waste. (This recommendation is also for Long Beach and Pasadena, which have their own Public Health departments.)

City's Proposed Response: The City agrees with the recommendation. The City's Environmental Health Services Division will train the city's food inspectors to be ambassadors for food waste reduction. The inspectors will provide an electronic version of the Food DROP brochure, and information on safely separating and recycling food waste, by email to each food facility at the time of their routine inspection. To ensure a robust and standardized program, staff training and document development will align with the Los Angeles County and City of Long Beach Environmental Health Programs.

Grand Jury Response 1.7: The County Department of Public Health should take the lead in creating a food waste education component as part of its permit process required for all outdoor public events that will be serving food. Department officials can work with the event manager ahead of time to plan for excess edible food donation, and for how food waste will be collected and separated. (This recommendation is also for Long Beach and Pasadena, which have their own Public Health departments.)

City's Proposed Response: The City agrees with the recommendation. The City's Environmental Health staff will distribute information on food donation, and food waste separation and recycling, to food vendors approved to operate at outdoor public events, and will work with the Parks, Recreation, and Community Services Department to distribute the information to event organizers as part of the special events permitting process.

Grand Jury Response 1.8: County officials should modify contracts with food vendor companies that are inside County facilities, such as the Hollywood Bowl, the Arboretum,

the Los Angeles County Museum of Art, and cafeterias located at County hospitals, to include food waste separation and recycling. Especially at the Hollywood Bowl which draws more than 17,000 people for most of its summer concert events, has several food options onsite, and traditionally draws large pre-concert picnicking crowds, implanting a food waste recycling program can be part of a public education campaign.

City's Proposed Response: The City does not have contracts with food vendors or caterers. The Rose Bowl Stadium has had a successful food waste/composting program in place for all large events for over three years. The City's Public Works Department will provide technical assistance to the Pasadena Convention Center so that they have a food waste recycling program in place by January 1, 2022.

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

City's Proposed Response: The City will adopt, as required by state law, many of the suggestions from the Countywide Organics Waste Management Plan if they align with recent State legislation that mandates organics recycling. The City's proposed response to these 11 suggestions is summarized as follows:

Suggestions Already Implemented:

- 1 – Commercial Recycling Ordinance
- 4 – Flow Control
- 5 – Contract Modification
- 10 – Education Only
- 11 – On-Site Management

Suggestions that will be Implemented:

- 2 – Single Family Residential Recycling Ordinance
- 3 – Self-Haul Standards
- 7 – Source Separated Organics Collection
- 8 – Wet/Dry Collection

Suggestions the City Disagrees with Implementing:

6 – Exclusive Commercial Hauling – The City's current non-exclusive franchise system provides the Pasadena community with competitive refuse rates and service for businesses and multi-family properties with 5 or more units.. Commercial franchise haulers must comply with recycling diversion standards and required monthly reporting.

9 – Incentives – The City does not support providing incentives since organics recycling will be mandatory by State law by January 1, 2022.

The City's detailed response to each of the 11 suggestions in the Countywide Organics Waste Management Plan are included in Attachment A.

COUNCIL POLICY CONSIDERATION:

This report by the City of Pasadena is consistent with the City Council Goals and Objectives to increase conservation and sustainability.

FISCAL IMPACT:


Cost for some of the recommendations is included in the Public Works and Public Health Departments' approved operating budget. Any enhancements to service will require additional funding and would need to be addressed during the annual budget process.

Respectfully prepared and submitted by,

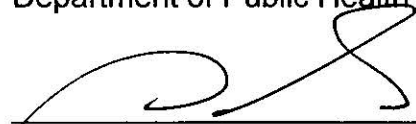


RUTHE HOLDEN
Internal Audit

Concurred by:



for YING-YING GOH, MD, MSHS
Director/Health Officer
Department of Public Health



ARA MALOYAN
Director
Department of Public Works

Approved by:



STEVE MERMELL
City Manager

Attachment:

- Attachment A – City's response to 11 suggestions in Countywide Organics Waste Management Plan
- Attachment B – Grand Jury Letter to Mayor Tornek
- Attachment C – Grand Jury Report – A DIET FOR LANDFILLS: Cutting Down on Food Waste