

RESOLUTION NO. 17-62

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEBELLO,
ESTABLISHING MANDATORY RECYCLING REQUIREMENTS IN ACCORDANCE
WITH AB 341 AND MANDATORY ORGANIC RECYCLING WITH AB 1826 FOR
SOLID WASTE HAULERS, PROVIDERS, AND RECYCLERS**

WHEREAS, both State legislation and Chapter 8.12 of the City Code permits the establishment of programs necessary to comply with the requirements set forth by the State; and

WHEREAS, The State Legislature has enacted legislation, guidelines, and programs requiring compliance with AB341 and AB1826; and

WHEREAS, The City has taken steps to comply with the provisions of AB341 and AB1826.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MONTEBELLO AS FOLLOWS:

SECTION 1: The City Council does hereby establish that all public and private entities covered under the legislative confines of AB341 are required to implement a mandatory recycling program within 45-Days of the passage of this Resolution. The Council does further establish that City shall take necessary supportive measures to ensure compliance with the legislative requirements as currently written or may be amended from time to time.

SECTION 2: The City Council does further establish that all public and private entities covered under the legislative confines of AB1826 are required to recycle their organic waste in a manner commensurate with the enacted legislation. The Council does further establish that the City shall take necessary supportive measures to ensure compliance with the legislative requirements as currently written or may be amended from time to time.

SECTION 3. The City Council hereby establishes that all nonexclusive franchisees shall meet the following diversion rates by December 31, of each calendar year referenced below:

- A. 2018 – A diversion rate of 65% must be achieved; and
- B. 2019 - A diversion rate of 70% must be achieved; and
- C. 2020 - A diversion rate of 75% must be achieved; and
- D. Each nonexclusive franchisee shall implement a commercial solid waste recycling program that consists of education, outreach and monitoring of their customers, that is appropriate and specific for Montebello businesses and is designed to divert commercial solid waste from said businesses and landfills.
- E. Each nonexclusive franchisee shall report the progress achieved in implementing its commercial recycling program, including education, outreach and monitoring, and if applicable, enforcement efforts and exemptions, by providing updates in its annual Source Reduction and Recycling Plan (SRRP) and/or at other intervals as determined by the City. The City will conduct an annual review of the SRRP's and determine compliance.
- F. If a franchisee is found to not have made a good-faith effort in implementing its programs, which may include its mandatory commercial recycling program, the City shall take necessary steps to ensure compliance up to and including administrative fines,

I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the City of Montebello City Council at its meeting held on the 28th day of June 2017, by the following vote:

AYES: Hadjinian, Delgado, Molinari, Barajas
NOES: None
ABSENT: Romero
ABSTAIN: None




Irma Barajas, Secretary