



# City of Hermosa Beach

Civic Center, 1315 Valley Drive, Hermosa Beach, CA 90254-3885

October 13, 2020

Kevin Brazile, Presiding Judge  
Los Angeles Superior Court  
Clara Shortridge Foltz Criminal Justice Center  
210 West Temple Street, 11<sup>th</sup> Floor, Room 11-506  
Los Angeles, CA 90012  
[civilgrandjury@lacourt.org](mailto:civilgrandjury@lacourt.org)

Re: City of Hermosa Beach Response to Grand Jury Report entitled "A DIET FOR LANDFILLS: Cutting Down on Food Waste"

Honorable Judge Brazile:

On July 8, 2020, the Los Angeles County Grand Jury issued its report entitled "**A DIET FOR LANDFILLS: Cutting Down on Food Waste**" (the "Report"). In the Report, the Grand Jury identifies a number of challenges agencies face in their efforts to divert organic waste from landfills. At the conclusion of the Report, the Grand Jury requested a response from the City of Hermosa Beach ("City") to Recommendations 1.1, 1.3, 1.8, and 1.14. The City provides the following responses to these Recommendations in accordance with Penal Code §933.05.

## **Recommendations:**

**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.*

The City's residents and businesses currently have a number of convenient organics recycling options that make a drop-off center unnecessary. The City's exclusive franchise agreement for Integrated Solid Waste Management Services includes organic waste service for all residential and commercial customers. This service is free for commercial customers and there is a nominal charge for residential customers. As part of the City's efforts to ensure compliance with the State organic waste mandates of AB1826, SB1383 and AB827, all customers will be required to



subscribe to organics service. In conjunction with requiring organic waste disposal options for customers of most food service establishments (per AB827), all residents, businesses and retail food customers will have convenient organic waste disposal options. These options include a variety of container types and sizes available for curbside pick-up of organics from both residential and commercial customers.

However, the City will monitor the behaviors of customers and the public in general to gauge feasibility of a drop-off program and will consider it to be included in any future amendment to the franchise agreement.

**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.*

Not applicable to City of Hermosa Beach

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

Implementation of this recommendation has taken the form of free organics service to all commercial customers. This eliminates any cost prohibitions customers may claim and additionally incentivizes utilization of organics service by allowing customers to use this service to reduce their solid waste services and associated costs. Hermosa Beach utilizes a "pay as you throw" rate structure that incentivizes customers to reduce waste generation to save money. The same incentivization is offered for residential customers. Though residential customers pay a nominal fee for organics service, this allows for reduction of solid waste service and the cost saving associated with that reduction. Residential customers also have the option of purchasing home compost bins at a discount to further reduce their organics disposal. Additionally, the City offers a number of recognition programs for sustainable businesses which are utilized to encourage organics recycling. These include participation in the California Green Business Network and the Clean Bay Restaurant certification program. The City annually recognizes businesses that have successfully been certified through these programs with public acknowledgement by City Council and by promoting them on the City's website and social media.

**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.*

Not applicable to City of Hermosa Beach.



**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.*

Not applicable to City of Hermosa Beach.

**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.)*

Not applicable to City of Hermosa Beach.

**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.)*

Not applicable to City of Hermosa Beach.

**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 picknicking crowds, implementing a food waste recycling program can be part of a public education campaign.*

The City agrees with this recommendation's suggestion that food waste recycling at large events is important. The City hosts a variety of large events annually, including volleyball tournaments, craft fairs, and a summer concert series. The City actively adheres to the requirements of AB2176 (large venue and large event recycling) and reports its compliance annually to CalRecycle. Producers of large events in the City are required to detail their sustainability plans prior to acquiring required permits. These plans include a number of sustainability elements including coordination with the City's franchised waste hauler to ensure organic recycling service options are provided, as well as traditional recycling services. At events, food vendors must have separate containers for organic waste and the event as a whole provides larger central containers and regular service. Events may also utilize food donation programs, per their sustainability plans. The City has no permanent large venues.



**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.*

Not applicable to City of Hermosa Beach.

**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.*

Not applicable to City of Hermosa Beach.

**1.11** *The City of Los Angeles should work with its 99 Neighborhood Councils to increase public education around food waste separation/recycling programs.*

Not applicable to City of Hermosa Beach.

**1.12** *All 80 school districts located in the County should work with local public works and health department officials to create a garden and compost program in every school, and monitor edible food recovery efforts.*

Not applicable to City of Hermosa Beach.

**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.).*

Not applicable to City of Hermosa Beach.

**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.*

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

The City is currently implementing this recommendation. We are working with CalRecycle to craft an Ordinance that will codify the mandatory organics recycling requirements of AB1826 and SB1383. This was described in the City's Formal Plan submitted to CalRecycle in Spring 2020 which states that this ordinance will be finalized and approved before the end of 2020. This Ordinance will mandate organics recycling for all customers as well as monitoring and education activities to ensure compliance with CalRecycle's mandates. The City is anticipating model language for this Ordinance will be released by CalRecycle in Fall 2020.



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

The City is currently implementing this recommendation. We are working with CalRecycle to craft an Ordinance that will codify mandatory organics recycling requirements (as mentioned above). This was described in the City's Formal Plan submitted to CalRecycle in Spring 2020. This Ordinance will include mandatory organics recycling programs for all commercial and residential customers. This will be made possible utilizing the City's existing disposal service which include a variety of container size options and curbside pick-up for organics.

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

The City is currently implementing this recommendation by including equivalent language in an Ordinance that will codify the mandatory organics recycling requirements of SB1383. This was described in the City's Formal Plan submitted to CalRecycle in Spring 2020. This will utilize annual customer audits and reporting requirements implemented in cooperation with the City's franchised waste hauler per the existing franchise agreement.

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

The City is currently implementing this recommendation. The City has language in its franchise agreement currently that ensures maximum diversion and composting of organic waste. The agreement requires the hauler to take green waste to a facility that ensures maximum diversion upon approval by the City. A future amendment to the agreement is planned for 2021 that will strengthen this language, in line with the requirements of SB1383, by extending this requirement indefinitely and requiring it be adaptable for any future changes in State or local laws

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



The City is currently implementing this recommendation. The City has language in its franchise agreement currently that ensures maximum diversion and composting of organic waste. A future amendment to the agreement is planned that will strengthen this language, in line with the requirements of SB1383 as mentioned above.

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

The City is currently implementing this recommendation. The City has language in its franchise agreement currently that ensures maximum diversion and composting of organic waste. Annual reporting requirements also include detailed information on tonnage and facilities used for organic waste processing. A future amendment to the agreement will strengthen this language, in line with the requirements of SB1383, to include food donation education and reporting along with customer site audits to help monitor contamination.

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

The City agrees with this recommendation and has implemented it. This is in the current franchise agreement and will be included in any amendments or new agreements.

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

The City currently offers all customers source-separate collection of organics using dedicated organics containers. The City does not see a need for wet/dry separation at this time. Ongoing monitoring of the service will help determine need and feasibility before considering implementation of any changes to this existing service.

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





*a successful base program. Should include provisions for quantifying recovery and reporting compliance to maintain eligibility for incentives.*

The City agrees with this recommendation and has implemented it. Commercial organics service is free and can help reduce solid waste costs for customers. Residential organics service is available for a nominal fee and also can offset solid waste service costs. Existing monitoring and reporting requirements will help gauge effectiveness of this program. These include tracking tonnage and audits of customers to determine contamination levels. The City's business recognition programs mentioned above provide additional incentives to customers for their organics recycling efforts.

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

The City agrees with this recommendation and has implemented it. Education and outreach are essential components of the City's waste program including: site visits, distribution of education materials, recognition of sustainable businesses, and more. Site visits performed by the waste hauler monitor contamination levels and proper usage of containers as well as training for staff. These site visits are required annually for all organics customers. Education materials are available in City facilities, distributed to customers by the waste hauler via mail and in-person, and provided to the public at special events and through digital media.

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

The City agrees with this and has implemented it. As mentioned above, the waste hauler is required to annually visit each organics recycling customer to provide education and training. This includes contamination monitoring, offering a variety of container and service types, and training to customers and staff. Additionally, through the City's Clean Bay Restaurant program, every restaurant in the City is inspected annually and organics recycling education is a mandatory component of these inspections.



Please feel free to contact the City's Environmental Programs Manager, Douglas Krauss, for additional information. He can be reached at 310-750-3603 or [dkrauss@hermosabeach.gov](mailto:dkrauss@hermosabeach.gov).

Sincerely,

Dr. Mary Campbell  
Mayor

cc: City of Hermosa Beach City Council  
Suja Lowenthal, City Manager  
Michael Jenkins, City Attorney  
Judith Kimmel, Foreperson