



AGENDA

Garden Grove Sanitary District
Board of Directors

Tuesday, February 22, 2022

6:30 PM

Community Meeting Center, 11300
Stanford Avenue, Garden Grove,
California 92840

John R. O'Niell
President
Diedre Thu-Ha Nguyen
Vice President
George S. Brietigam
Member
Patrick Phat Bui
Member
Steve Jones
Member
Stephanie Klopfenstein
Member
Kim B. Nguyen
Member

COVID-19 Information: Members of the public can address the City Council during the public comment portion of the meeting in person or via e-mail. If you plan to attend the meeting in person, masks or face coverings are required to be worn if you are not vaccinated. If you feel ill or are showing symptoms of COVID-19, please consider submitting comments by e-mail. Instructions are available on the City's website at <https://ggcity.org/city-council/meetings-participation>

Meeting Assistance: Any person requiring auxiliary aids and services, due to a disability, to address the City Council, should contact the City Clerk's Office 72 hours prior to the meeting to arrange for accommodations. Phone: (714) 741-5040.

Agenda Item Descriptions: Are intended to give a brief, general description of the item. The City Council may take legislative action deemed appropriate with respect to the item and is not limited to the recommended action indicated in staff reports or the agenda.

Documents/Writings: Any revised or additional documents/writings related to an item on the agenda distributed to all or a majority of the Council Members within 72 hours of a meeting, are made available for public inspection at the same time (1) in the City Clerk's Office at 11222 Acacia Parkway, Garden Grove, CA 92840, during normal business hours; (2) on the City's website as an attachment to the City Council meeting agenda; and (3) at the Council Chamber at the time of the meeting.

Public Comments: Members of the public who attend the meeting in-person and would like to address the City Council are requested to complete a pink speaker card indicating their name and address, and identifying the subject matter they wish to address. This card should be given to the City Clerk before the meeting begins. General comments are made during "Oral Communications" and should be limited to matters under consideration and/or what the City Council has jurisdiction over. Persons wishing to address the City Council regarding a Public Hearing matter will be called to the podium at the time the matter is being considered. Members of the public participating via teleconference should review the instructions on the City's website pertaining to Live Virtual Public Comments at <https://ggcity.org/city-council/meetings-participation>

Manner of Addressing the City Council: After being called by the Mayor, you may approach the

podium, it is requested that you state your name for the record, and proceed to address the City Council. All remarks and questions should be addressed to the City Council as a whole and not to individual Council Members or staff members. Any person making impertinent, slanderous, or profane remarks or who becomes boisterous while addressing the City Council shall be called to order by the Mayor. If such conduct continues, the Mayor may order the person barred from addressing the City Council any further during that meeting.

Time Limitation: When any group of persons wishes to address the City Council on the same subject matter, the Mayor may request a spokesperson be chosen to represent the group, so as to avoid unnecessary repetition. At the City Council's discretion, a limit on the total amount of time for public comments during Oral Communications and/or a further limit on the time allotted to each speaker during Oral Communications may be set.

PLEASE SILENCE YOUR CELL PHONES DURING THE MEETING.

AGENDA

Open Session

6:30 PM

ROLL CALL: MEMBER BRIETIGAM, MEMBER BUI, MEMBER JONES, MEMBER KLOPFENSTEIN, MEMBER K. NGUYEN, VICE PRESIDENT D. NGUYEN, PRESIDENT O'NEILL

1. ORAL COMMUNICATIONS (to be held simultaneously with other legislative bodies)
2. CONSENT ITEMS
(Consent Items will be acted on simultaneously with one motion unless separate discussion and/or action is requested by a Sanitary District Member.)
 - 2.a. Adoption of a Resolution Authorizing Filing a Notification of Intent to Comply with SB 1383 Regulations *(Action Item)*
 - 2.b. Receive and file agreed-upon procedures applied to appropriation limit worksheets for Fiscal Year 2020-21. *(Action Item)*
 - 2.c. Receive and file minutes from the meeting held on January 25, 2022. *(Action Item)*
3. MATTERS FROM THE PRESIDENT, BOARD MEMBERS AND GENERAL MANAGER
4. ADJOURNMENT

The next Regular Sanitary District Meeting will be Tuesday, March 22, 2022, at 5:30 p.m. in the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, California 92840.

City of Garden Grove

INTER-DEPARTMENT MEMORANDUM

To: Scott C. Stiles From: William E. Murray
Dept.: General Manager Dept.: Public Works
Subject: Adoption of a Resolution Date: 2/22/2022
Authorizing Filing a
Notification of Intent to
Comply with SB 1383
Regulations (*Action Item*)

OBJECTIVE

For the Garden Grove Sanitary District (District) Board to adopt a resolution authorizing the filing of a Notification of Intent to Comply (NOIC) with SB 1383 Regulations pertaining to organics recycling.

BACKGROUND

On October 5, 2021, Governor Gavin Newsom signed into law Senate Bill 619, which provides local jurisdictions relief from administrative civil penalties from continuing violations for non-compliance with SB 1383 regulations. SB 1383, the Short-Lived Climate Pollutants Organics Waste Reduction, became effective January 1, 2022, and it mandates all local jurisdictions, including counties, cities and special districts, to implement residential organic waste recycling programs. Further, cities must file an NOIC by March 1, 2022, and disclose in their submittals the following:

- *A description of all SB 1383 continuing violations*
- *A justification for non-compliance*
- *A description of the impacts of the COVID-19 pandemic on compliance*
- *A description of the proposed actions the District will take to remedy the violations with a proposed schedule for doing so*

CalRecycle, the state regulatory agency enforcing the recycling regulations, may retroactively penalize local jurisdictions for failing to adhere to agreed-upon NOIC plans, though jurisdictions may qualify for broader and longer-term regulatory compliance paths if necessary.

DISCUSSION

Negotiations are currently underway with Republic Services for implementing the SB 1383 residential organic waste program. Due to delays from the recent Republic

Service’s work stoppage and other unforeseen circumstances, negotiations and a proposed final restated and amended contract for an organic waste program is expected to be completed much later in the year. To avoid potential administrative civil penalties from continuing non-compliance violations, the following actions for filing the NOIC represents a conservative timeline, although the District will endeavor to implement the following tasks:

Action	Proposed Schedule
Conclude Negotiations with Hauler	January 2023
Complete Revisions to Franchise Agreement	January – April 2023
Board Approval of Franchise Agreement	July 2023
Outreach/Education for New Services	December 2022 – October 2023
Implement Compliant Organics Collection Program	January 2024

FINANCIAL IMPACT

None.

RECOMMENDATION

It is recommended that the Sanitary District Board of Directors:

- Adopt the Resolution Authorizing the Filing of a Notification of Intent to Comply with SB 1383 Regulations.

By: Ana V. Neal, Principal Administrative Analyst

ATTACHMENTS:

Description	Upload Date	Type	File Name
Resolution	2/15/2022	Resolution	Resolution_SB_619_NOIC_FINAL.DOCX
Notification of Intent to Comply Form	2/15/2022	Backup Material	GGSD_Notice_of_Intent-SB-619-FINAL.docx
NOIC Supplemental Attachment	2/15/2022	Backup Material	City_of_Garden_Grove_NOIC_FINAL.xlsx

GARDEN GROVE SANITARY DISTRICT

RESOLUTION NO. ____

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE GARDEN GROVE SANITARY DISTRICT
AUTHORIZING THE FILING OF A NOTIFICATION
OF INTENT TO COMPLY WITH SB 1383
REGULATIONS**

WHEREAS, CalRecycle, in consultation with the California Air Resources Board, has adopted regulatory requirements (Regulations), consistent with the mandate of Senate Bill 1383 (Lara, 2016), that are designed to achieve the organic waste reduction goals established in Section 39730.6 of the Health and Safety Code through a 50 percent reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75 percent reduction in the level of the statewide disposal of organic waste from the 2014 level by 2025;

WHEREAS, the Garden Grove Sanitary District (District) is a local jurisdiction required to comply with the Regulations;

WHEREAS, the District expects to be facing continuing violations of the Regulations commencing on and during the 2022 calendar year;

WHEREAS, Senate Bill 619 (Laird, 2021), through amendments to Section 42652.5 of the Public Resources Code (Statute), created a mechanism called a Notification of Intent to Comply through which a local jurisdiction may secure administrative civil penalty relief from any continuing violations of the Regulations for the 2022 calendar year and may be eligible for a broader and longer-term regulatory compliance path, including suspended administrative civil penalties, through a corrective action plan;

WHEREAS, the District is a local jurisdiction authorized by the Statute to submit a Notification of Intent to Comply for CalRecycle approval;

WHEREAS, CalRecycle shall approve a Notification of Intent to Comply that is duly adopted by the jurisdiction by formal written resolution and meets the requirements of the Statute.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE GARDEN GROVE SANITARY DISTRICT that:

1. The Board of Directors hereby formally adopts the Notification of Intent to Comply attached as Exhibit "A."

2. The Board of Directors hereby authorizes and directs the District's General Manager, or the General Manager's designee, to submit the Notification of Intent to Comply attached as Exhibit "A" to CalRecycle for approval pursuant to the Statute.

3. By submitting the Notification of Intent to Comply pursuant to and subject to the above referenced requirements, the District represents and certifies that it will implement the proposed actions to remedy the violations according to the proposed schedule as approved by CalRecycle and in accordance with the Statute and Regulations.

4. The District by and through its General Manager or Designee also acknowledges and agrees to comply with any maximum compliance deadline in any corrective action plan that CalRecycle, in its sole discretion, determines to be necessary and appropriate under the circumstances for the correction of any violation(s) of the Statute and Regulations identified in its Notification of Intent to Comply.

5. The Secretary shall certify to the adoption of this Resolution.

Notification of Intent to Comply

CalRecycle is providing this optional form as a convenience to assist jurisdictions (counties, cities, a county and city, or special districts providing solid waste collection services) for purposes of submitting a notification of intent to comply to CalRecycle [see Public Resources Code (PRC) section 42652.5(c)].

A jurisdiction may submit a notification of intent to comply if it is facing continuing violations of the Short-lived Climate Pollutants: Organic Waste Reductions requirements in Title 14 California Code of Regulations (14 CCR). The written notification of intent to comply, adopted by resolution of the jurisdiction's governing body, shall be sent to CalRecycle no later than **March 1, 2022**, to NOIC@CalRecycle.ca.gov.

A jurisdiction shall, at minimum, include the following in its notification:

1. A description, with specificity, of the continuing violations.
2. A detailed explanation of the reasons, supported by documentation, why the local jurisdiction is unable to comply.
3. A description of the impacts of the COVID-19 pandemic on compliance.
4. A description of the proposed actions the local jurisdiction will take to remedy the violations within the timelines established in 14 CCR section 18996.2 with a proposed schedule for doing so. The proposed actions shall be tailored to remedy the violations in a timely manner.

Upon approval by CalRecycle of a jurisdiction's notification and implementation of the intent to comply, a jurisdiction may be eligible for both of the following:

1. Administrative civil penalty relief for the 2022 calendar year pursuant to PRC section 42652.5(d).
2. A corrective action plan pursuant to 14 CCR section 18996.2.
 - a. CalRecycle may address through a corrective action plan any violations disclosed in a jurisdiction's notification that will take more than 180 days to correct. In this situation, the proposed actions and schedule in the jurisdiction's approved notification will be in effect until a corrective action plan is issued.

CalRecycle will respond in writing to a jurisdiction within 45 business days of receiving its notification with an approval, disapproval, request for additional information, or timeline for a decision on approval or disapproval. CalRecycle will include details about why a jurisdiction did not meet the requirements for a Notification of Intent to Comply when disapproving the jurisdiction's notification.

Please clearly print or type responses. Attach additional pages as necessary.

Jurisdiction Name: Garden Grove Sanitary District

County: Orange

Person Completing the Form: Ana V. Neal

First Name: Ana

Last Name: Vergara Neal

Title: Principal Administrative Analyst

Mailing Address: 13802 Newhope Street

City: Garden Grove

Zip Code: 92843

Email Address: anan@ggcity.org

Phone Number: 714-741-5554

1. Select using the check boxes below or write in the continuing violations for each applicable regulatory section. For each selection, please describe the specific violations related to the regulatory section.

Example:

- (B) 14 CCR section 18984.1 Three-Container Organic Waste Collection Services
- i. Not implementing mandatory residential foodwaste collection for all residents. Note: City already provides mandatory greenwaste collection to all residents*
 - ii. Not implementing mandatory commercial organics collection for all businesses under 2 cubic yards. Note: City already provides mandatory commercial organics collection to all businesses 2 cubic yard or more.*

Disclaimer: The list of possible continuing violations below is not inclusive of all potential violations of the regulations.

(A) 14 CCR section 18984 Combined Organic Waste Collection Services. *This requirement is not included since the requirements are further specified in sections 18984.1-18984.11.*

- (B) 14 CCR section 18984.1 Three-Container Organic Waste Collection Services
- (C) 14 CCR section 18984.2 Two-Container Organic Waste Collection Services
- (D) 14 CCR section 18984.3 Unsegregated Single Container Collection Services
- (E) 14 CCR section 18984.4 Recordkeeping Requirements for Compliance with Organic Waste Collection Services
- (F) 14 CCR section 18984.5 Container Contamination Minimization
- (G) 14 CCR section 18984.6 Recordkeeping Requirements for Container Contamination Minimization
- (H) 14 CCR section 18984.7 Container Color Requirements
- (I) 14 CCR section 18984.8 Container Labeling Requirements
- (J) 14 CCR section 18984.11 Waivers Granted by a Jurisdiction
- (K) 14 CCR section 18985.1. Organic Waste Recovery Education and Outreach.
- (L) 14 CCR section 18985.2. Edible Food Recovery Education and Outreach
- (M) 14 CCR section 18985.3. Recordkeeping Requirements for a Jurisdiction's Compliance with Education and Outreach Requirements
- (N) 14 CCR section 18988.1. Jurisdiction Approval of Haulers and Self-Haulers
- (O) 14 CCR section 18988.3. Self-haulers of Organic Waste
- (P) 14 CCR section 18988.4. Recordkeeping Requirements for Compliance with Jurisdiction Hauler Program
- (Q) 14 CCR section 18989.1. CALGreen Building Codes

- (R) 14 CCR section 18989.2 Model Water Efficient Landscape Ordinance
- (S) 14 CCR section 18991.1. Jurisdiction Edible Food Recovery Program
- (T) 14 CCR section 18991.2. Recordkeeping Requirements for Jurisdiction Edible Food Recovery Program
- (U) 14 CCR section 18992.1. Organic Waste Recycling Capacity Planning
- (V) 14 CCR section 18992.2. Edible Food Recovery Capacity
- (W) 14 CCR section 18993.1. Recovered Organic Waste Product Procurement Target
- (X) 14 CCR section 18993.2. Recordkeeping Requirements for Recovered Organic Waste Procurement Target
- (Y) 14 CCR section 18993.3. Recycled Content Paper Procurement Requirements
- (Z) 14 CCR section 18993.4. Recordkeeping Requirements for Recycled Content Paper Procurement

(AA) 14 CCR section 18994.2. Jurisdiction Annual Reporting

Note: This requirement is not included since jurisdictions are still expected to report to CalRecycle.

- (BB) 14 CCR section 18995.1. Jurisdiction Inspection Requirements
Note: Section 18995.1(a)(1) should not be included because a jurisdiction should already be completing this action due to the requirements of PRC Chapter 12.9 (commencing with Section 42649.8)
- (CC) 14 CCR section 18995.2. Implementation Record and Recordkeeping Requirements
- (DD) 14 CCR section 18995.3. Jurisdiction Investigation of Complaints of Alleged Violations
Note: This requirement is not included since jurisdictions are still expected to investigate complaints.
- (EE) 14 CCR section 18995.4. Enforcement by a Jurisdiction

Use the check box(es) below to write in the continuing violations for any regulatory section(s) not reflected above and describe the specific violations related to the regulatory section.

Example:

- (1) (Type regulatory section number) (Type regulatory section title)
 - i. Describe the specific violations related to the regulatory section

- (1) 14 CCR Section 18983.1 Landfill Disposal Recovery
- (2)
- (3)
- (4)
- (5)

2. A detailed explanation of the reasons why the jurisdiction is unable to comply, supported by documentation, if applicable.

The Garden Grove Sanitary District, a subsidiary district of the City of Garden Grove, is located in the County of Orange. The District has been in contract negotiations with its franchise hauler since July 2021. Additionally, in December 2021 the franchise hauler had a labor union work stoppage that put the negotiations on pause. Also, the franchise hauler became victim of a ransomware hack on their payroll software (Cronos) in late December 2021 after resolution of the labor stoppage. Prior to initiating negotiations, the District completed an SB 1383 gap analysis and review of their current agreement with its franchise hauler in December 2020. While negotiations have been active (see attached SB 1383 Compliance Process document), there is more time needed to complete negotiations for the restated franchise agreement that include many of the prescriptive requirements necessary to implement SB 1383-compliant programs. Once the contract is agreed upon by the District, City, and the franchise hauler, the Board of Directors and City Council will need to approve the negotiated agreement. There will also be minimally sufficient time allotted to conduct outreach and education to generators and

provide collection containers, as some may not already have the required collection services with the franchise hauler. The franchise hauler has reported industry-wide difficulties of ordering new containers due to a delay caused by the manufacturers of containers. The District will keep CalRecycle informed of any progress and/or further delays for the plans to implement the required programs.

3. A description of the impacts of the COVID-19 pandemic on compliance. The District, City and franchise hauler experienced staffing issues due to quarantine requirements which delayed the contract negotiations for the franchise agreement. Due to the delay in the finalization of SB 1383 Regulations due to COVID-19 there was a delay in being able to actively negotiate the franchise hauler agreement. The franchise hauler has been greatly impacted by COVID-19 and how they operate which has posed challenges in determining operation/service costs for newly provided services.

4. Provide a description of the proposed actions the jurisdiction will take to remedy the violations with a proposed schedule for completing each action. The proposed actions shall be tailored to remedy the violations in a timely manner. See optional format below. Please see supplemental attachment.

I hereby certify under penalty of perjury that the information provided herein is true and correct to the best of my knowledge.

Signature

Printed Name

Title

Date

Description of the proposed actions with proposed schedules the jurisdiction will take to remedy the violations. The proposed actions shall be tailored to remedy the violations in a timely manner.

Regulatory Requirement and Description	
Action	Proposed Schedule
TASK 1:	Date to be completed:
TASK 2:	Date to be completed:
TASK 3:	Date to be completed:

Regulatory Requirement and Description	
Action	Proposed Schedule
TASK 1:	Date to be completed:
TASK 2:	Date to be completed:

EXAMPLE

Regulatory Requirement: (B.i.) 14 CCR section 18984.1 Three-Container Organic Waste Collection Services	
Description: Not implementing mandatory residential foodwaste collection for all residents. Note: City already provides mandatory greenwaste collection to all residents	
Action	Proposed Schedule
TASK 1: <i>Purchase two additional collection trucks and modify collection routes</i>	Date to be completed: 4/7/2022
TASK 2: <i>The city will work with its hauler to find a facility to accept mixed organic waste.</i>	Date to be completed: 4/14/2022

Regulatory Requirement: (B.ii.) 14 CCR section 18984.1 Three-Container Organic Waste Collection Services	
Description: Not implementing mandatory commercial organics collection for all businesses under 2 cubic yards. Note: City already provides mandatory commercial organics collection to all businesses 2 cubic yard or more.	
Action:	Proposed Schedule
TASK 1: <i>Purchase two additional collection trucks and modify collection routes</i>	Date to be completed: 4/21/2022
TASK 2: <i>The city will work with its hauler to acquire and distribute appropriate containers to all commercial accounts. The city will obtain monthly reports from the hauler to monitor full distribution of carts.</i>	Date to be completed: 4/28/2022

CITY OF GARDEN GROVE

SB 1383 Supplemental Attachment

14 CCR Section 18984.1 - 14 CCR Section 18984.3 Organic Waste Collection Services

#1: The District has not implemented compliant organic waste collection services for all residents.

Note: The District's franchised hauler provides trash, recycling, and/or green waste containers to residents of the District. A residential food waste recycling program is currently not available to any residents in the District.

Action:	Proposed Schedule:
Task 1: Conclude on-going negotiations with franchise haulers (began negotiations in 2021)	Anticipated completion date: 1/1/2023 (please note that success of negotiations may be outside of the City's control)
Task 2: Complete revisions to the franchise agreement for collection and processing	Start January 2023 - complete April 2023 (4 months pending completion of Task 1)
Task 3: Seek Board Approval of franchise agreement	Anticipated completion date: 7/1/2023 agreement effective date (dependent upon completion of Task 2)
Task 4: Outreach/Education of new/expanded services to residents	Start December 2022 - complete October 2023 (dependent upon completion of Task 3)
Task 5: Implement compliant collection system(s)	Date to be completed: 1/1/2024

Explanation:

Until negotiations conclude and the franchise agreement is finalized and adopted by the Board of Directors, the District is unable to provide the compliant organic waste collection services that meet the requirements of Section 18984.1 - 18984.3 to all residents. Please note, these dates are contingent upon negotiation outcomes. The Garden Grove Sanitary District's existing Franchise Agreement expires in June 2024. If negotiations with existing hauler break down or are unbeneficial to the District, the District will consider moving forward by issuing a formal Request for Proposals with new haulers. This action may delay SB 1383 implementation even further.

#2: The District has not implemented compliant organic waste collection services for all commercial businesses.

Note: The District's franchise hauler offers varying levels of trash, recycling, green waste, and food waste collection services to some businesses in the District. Mandatory collection of all waste streams is required by the District's Code of Regulations that adopted the SB 1383 requirements and became effective on December 14, 2021.

Action:	Proposed Schedule:
Task 1: Conclude on-going negotiations with franchise haulers (began negotiations in 2021)	Anticipated completion date: 1/1/2023 (please note that success of negotiations may be outside of the City's control)
Task 2: Complete revisions to the franchise agreement for collection and processing	Start January 2023 - complete April 2023 (4 months pending completion of Task 1)
Task 3: Seek District approval of franchise agreement	Anticipated completion date: 7/1/2023 agreement effective date (dependent upon completion of Task 2)
Task 4: Establish commercial accounts list	Start December 2022 - complete June 2023
Task 5: Outreach/Education of new/expanded services to businesses	Start December 2022 - complete October 2023 (dependent upon completion of Task 3)
Task 6: Implement compliant collection system(s)	Date to be completed: 1/1/2024

Explanation:

Per #1, until negotiations conclude and the franchise agreement is finalized and adopted by the District, the District is unable to provide a full menu of compliant organic waste collection services that meet the requirements of Section 18984.1 - 18984.3 to all of the District's commercial businesses. The timeline provided for the negotiations with the franchise hauler is a best estimate for completion of the entire process. Final program roll-out and container delivery for all commercial businesses will be significantly onerous on the District and franchise hauler due to limited container supply.

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14 CCR Section 18984.4 - Recordkeeping Requirements for Compliance with Organic Waste Collection Services	
<p>#3: The District has not yet implemented recordkeeping requirements for compliance with organic waste collection services as the District is still negotiating compliant collection methods. SB 1383-compliant reporting standards will be included as a requirement in the restated franchise agreement.</p>	
Action:	Proposed Schedule:
Task 1: Conclude on-going negotiations with franchise haulers (began negotiations in 2021)	Anticipated completion date: 1/1/2023 (please note that success of negotiations may be outside of the City's control)
Task 2: Complete revisions to the franchise agreement for collection and processing	Start January 2023 - complete April 2023 (4 months pending completion of Task 1)
Task 3: Seek District approval of franchise agreement	Anticipated completion date: 7/1/2023 agreement effective date (dependent upon completion of Task 2)
Task 4: Include prescribed recordkeeping requirements in Implementation Record	Date to be completed: 7/1/2023 (dependent upon completion of Task 3)
Explanation:	
<p>Per #1, until negotiations conclude and franchise agreement is finalized and adopted by the District, the District is unable to include all of the information in its Implementation Record as required by Section 18984.4 as it pertains to compliance with the organic waste collection service requirements as the franchise hauler is not contractually obligated to provide this information at this time. The timeline provided for the negotiations with the franchise hauler is a best estimate for completion of the entire process.</p>	
14 CCR Section 18984.5 - Container Contamination Minimization	
<p>#4: The District has not yet implemented the monitoring of contaminants being placed in a collection container by a generator through route reviews and/or waste evaluations as the District will be delegating this requirement to the franchise hauler through the restated franchise agreement.</p>	
Action:	Proposed Schedule:
Task 1: Conclude on-going negotiations with franchise haulers (began negotiations in 2021)	Anticipated completion date: 1/1/2023 (please note that success of negotiations may be outside of the City's control)
Task 2: Complete revisions to the franchise agreement for collection and processing	Start January 2023 - complete April 2023 (4 months pending completion of Task 1)
Task 3: Seek District approval of franchise agreement	Anticipated completion date: 7/1/2023 agreement effective date (dependent upon completion of Task 2)
Task 4: Include prescribed recordkeeping requirements in Implementation Record	Date to be completed: 7/1/2023 (dependent upon completion of Task 3)
Task 5: Outreach/Education of new/expanded services to generators	Start December 2022 - complete October 2023 (dependent upon completion of Task 4)
Task 6: Franchisee implementation of container contamination minimization programs	Date to be implemented: 7/1/2023
Explanation:	
<p>Per #1, until negotiations conclude and franchise agreement is finalized and adopted by the District, the District is unable to implement the container contamination minimization/monitoring requirements. The timeline provided for the negotiations with the franchise hauler is a best estimate for completion of the entire process. The franchise agreement will specify the container contamination minimization/monitoring method used for the District. The pending franchise agreement will include contamination minimization/monitoring methods compliant with Section 18984.5.</p>	
14 CCR Section 18984.6 - Recordkeeping Requirements for Container Contamination Minimization	
<p>#5: The District has not yet implemented recordkeeping requirements for the monitoring of contaminants being placed in a collection container by a generator as the District has not yet implemented container contamination minimization programs, as described in #1.</p>	
Action:	Proposed Schedule:
Task 1: Conclude on-going negotiations with franchise haulers (began negotiations in 2021)	Anticipated completion date: 1/1/2023 (please note that success of negotiations may be outside of the City's control)
Task 2: Complete revisions to the franchise agreement for collection and processing	Start January 2023 - complete April 2023 (4 months pending completion of Task 1)
Task 3: Seek District approval of franchise agreement	Anticipated completion date: 7/1/2023 agreement effective date (dependent upon completion of Task 2)
Task 4: Outreach/Education of new/expanded services to generators	Start December 2022 - complete October 2023 (dependent upon completion of Task 3)
Task 5: Hauler implementation of container contamination minimization programs	Date to be implemented: 7/1/2023
Task 6: Include prescribed recordkeeping requirements in Implementation Record	Date to be completed: 1/1/2024
Explanation:	
<p>Recordkeeping information regarding the hauler container contamination minimization programs will be included in the Implementation Record after program implementation. The timeline provided for the negotiations with the franchise hauler is a best estimate for completion of the entire process.</p>	

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14 CCR Section 18984.8 - Container Labeling Requirements	
<p>#6: The District's franchise hauler is currently required to place labels on each container or lid provided to generators specifying materials allowed to be placed in each container however, the current labeling requirements do not meet the requirements of Section 18984.8 without the pictures and does not specify the prohibited container materials.</p>	
Action:	Proposed Schedule:
Task 1: Conclude on-going negotiations with franchise haulers (began negotiations in 2021)	Anticipated completion date: 1/1/2023 (please note that success of negotiations may be outside of the City's control)
Task 2: Complete revisions to the franchise agreement for collection and processing	Start January 2023 - complete April 2023 (4 months pending completion of Task 1)
Task 3: Seek District approval of franchise agreement	Anticipated completion date: 7/1/2023 agreement effective date (dependent upon completion of Task 2)
Task 4: Outreach/Education of new/expanded services to generators	Start December 2022 - complete October 2023 (dependent upon completion of Task 3)
Task 5: Roll-out of new label-compliant containers by hauler to generators who are receiving new containers	Date to be completed: 1/1/2024
Explanation:	
<p>Per #1, until negotiations conclude and franchise agreement is finalized and adopted by the District, the District is unable to enforce the container labeling requirements. The timeline provided for the negotiations with the franchise hauler is a best estimate for completion of the entire process. The pending franchise agreement will incorporate the container labeling requirements of Section 18984.8.</p>	
14 CCR Section 18985.1 - Organic Waste Recovery Education and Outreach	
<p>#7: The District has not provided organic waste recovery education and outreach to all generators provided with organic waste collection service prior to February 1, 2022, as District will not be providing SB 1383 prescribed organic waste collection services by February 1, 2022.</p>	
Action:	Proposed Schedule:
Completed Outreach: Distribute required general education and outreach materials related to SB 1383 not specific to organic waste collection services	Complete
Task 1: Conclude on-going negotiations with franchise haulers (began negotiations in 2021)	Anticipated completion date: 1/1/2023 (please note that success of negotiations may be outside of the City's control)
Task 2: Complete revisions to the franchise agreement for collection and processing	Start January 2023 - complete April 2023 (4 months pending completion of Task 1)
Task 3: Seek District approval of franchise agreement	Anticipated completion date: 7/1/2023 agreement effective date (dependent upon completion of Task 2)
Task 4: Outreach/Education of new/expanded services to generators	Start December 2022 - complete October 2023 (dependent upon completion of Task 3)
Task 5: Rollout of education and outreach material to generators for area specific organic waste collection services	Date to be completed: 1/1/2024
Explanation:	
<p>Per #1, until negotiations conclude and franchise agreement is finalized and adopted by the District, the District is unable to provide the organic waste collection services prescribed by Sections 18984.1, 18984.2, or 18984.3. The District has already provided the information prescribed in Section 18985.1(a)(1)-(7) that is not specific to collection services to District generators (based on current contracting arrangements). Education and outreach is planned to be provided through both print and electronic media.</p>	

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14 CCR Section 18985.3 - Recordkeeping Requirements for a Jurisdiction's Compliance with Education and Outreach Requirements	
#8: The District has not yet implemented recordkeeping requirements for organic waste recovery education and outreach as the District has not yet implemented mandatory organic waste collection services.	
Action:	Proposed Schedule:
Completed Outreach: Distribute required general education and outreach materials related to SB 1383 not specific to organic waste collection services	Complete
Task 1: Conclude on-going negotiations with franchise haulers (began negotiations in 2021)	Anticipated completion date: 1/1/2023 (please note that success of negotiations may be outside of the City's control)
Task 2: Complete revisions to the franchise agreement for collection and processing	Start January 2023 - complete April 2023 (4 months pending completion of Task 1)
Task 3: Seek District approval of franchise agreement	Anticipated completion date: 7/1/2023 agreement effective date (dependent upon completion of Task 2)
Task 4: Outreach/Education of new/expanded services to generators	Start December 2022 - complete October 2023 (dependent upon completion of Task 3)
Task 5: Rollout of education and outreach material to generators for area specific organic waste collection services	Date to be completed: 1/1/2024
Task 6: Include prescribed recordkeeping requirements in Implementation Record	Date to be completed: 1/1/2024
Explanation:	
Information regarding the jurisdiction education and outreach efforts will be included in the Implementation Record after program implementation.	
14 CCR Section 18991.1 - Jurisdiction Edible Food Recovery Program	
#9: The District has not implemented all of the edible food recovery programs required in Section 18991.1 as the District plans to use the franchised hauler to delegate aspects of these requirements. The District has completed identification of the Tier 1/2 edible food generators and has responded to the County's survey to assist with edible food capacity planning.	
Action:	Proposed Schedule:
Task 1: Conclude on-going negotiations with franchise haulers (began negotiations in 2021)	Anticipated completion date: 1/1/2023 (please note that success of negotiations may be outside of the City's control)
Task 2: Complete revisions to the franchise agreement for collection and processing	Start January 2023 - complete April 2023 (4 months pending completion of Task 1)
Task 3: Seek District approval of franchise agreement	Anticipated completion date: 7/1/2023 agreement effective date (dependent upon completion of Task 2)
Task 4: Implementation of edible food recovery program	Date to be completed: 1/1/2024
Explanation:	
Per #1, until negotiations conclude and franchise agreement is finalized and adopted by the District, the District is unable to require the franchise hauler to subcontract the edible food recovery program to Abound Food Care for the District to comply with all of the remaining requirements in Section 18991.1. The timeline provided for the negotiations with the franchise hauler is a best estimate for completion of the entire process.	

CITY OF GARDEN GROVE

14 CCR Section 18991.2 - Recordkeeping Requirements for Jurisdiction Edible Food Recovery Program	
<p>#10: The District has not implemented the recordkeeping requirements for the edible food recovery programs required in Section 18991.2 as the District plans to use the franchised hauler to delegate aspects of this requirement.</p>	
Action:	Proposed Schedule:
Task 1: Conclude on-going negotiations with franchise haulers (began negotiations in 2021)	Anticipated completion date: 1/1/2023 (please note that success of negotiations may be outside of the City's control)
Task 2: Complete revisions to the franchise agreement for collection and processing	Start January 2023 - complete April 2023 (4 months pending completion of Task 1)
Task 3: Seek District approval of franchise agreement	Anticipated completion date: 7/1/2023 agreement effective date (dependent upon completion of Task 2)
Task 4: Implementation of edible food recovery program	Date to be completed: 1/1/2024
Explanation:	
<p>The District has completed identification of the Tier 1/2 edible food generators and has responded to the County's survey to assist with edible food capacity planning and the response will be included in the implementation record. Per #1, until negotiations conclude and franchise agreement is finalized and adopted by the District, the District is unable to require the franchise hauler to subcontract the edible food recovery program to Abound Food Care for the District to comply with all of the recordkeeping requirements in Section 18991.2.</p>	
Regulatory Requirement: 14 CCR section 18993.1. Recovered Organic Waste Product Procurement Target	
<p>#11: Not meeting the allocated recovered organic waste product procurement target.</p>	
Action:	Proposed Schedule:
Task 1: The District will coordinate with future landscaping contractors to procure recovered organic compost and mulch for use at City facilities and green spaces.	Start 4/30/2022 (Note: this will be ongoing per SB 1383 requirements)
Task 2: The District will coordinate with its franchise waste hauler to provide recovered organic compost and/or mulch giveaway events to the community.	Start 4/30/2022 (Note: this will be ongoing per SB 1383 requirements)
Task 3: The District will also seek to procure a combination of renewable gas or electricity from biomass conversion from direct service providers.	Start 4/30/2022 (Note: this will be ongoing per SB 1383 requirements)
Task 4: The District will work to include remaining procurement tons in the negotiated agreement with the hauler per #1.	Date to be completed: 7/1/2023
Explanation:	
<p>The District will seek to annually procure the quantity of recovered organic waste products that meets or exceeds its current annual recovered organic waste product procurement target. The District plans to provide a combination of recovered organic compost and mulch for use at District facilities and green spaces through procurement as the District does not currently utilize the material for District green spaces, medians or District facilities. In addition, the District will coordinate with its franchise waste hauler to provide recovered organic compost and/or mulch giveaway events to the community.</p>	
Regulatory Requirement: 14 CCR section 18993.2. Recordkeeping Requirements for Recovered Organic Waste Procurement Target	
<p>#12: Not implementing recordkeeping requirements for recovered organic waste procurement target.</p>	
Action:	Proposed Schedule:
Task 1: District will begin process of keeping records of any recovered organic waste product it procures to meet recordkeeping requirements.	Start 3/1/2022 (Note: this will be ongoing per SB 1383 requirements)
Task 2: The District will work with future landscapers to obtain records of recovered organic compost and/or mulch distributed in the District	Start 3/1/2022 (Note: this will be ongoing per SB 1383 requirements)
Task 3: The District will work with any direct service providers of renewable gas or electricity from biomass conversion to obtain any relevant records.	Start 3/1/2022 (Note: this will be ongoing per SB 1383 requirements)
Task 4: The District will work with a consultant to include relevant records in its Implementation Plan and recordkeeping requirements.	Start 3/1/2022 (Note: this will be ongoing per SB 1383 requirements)
Explanation:	
<p>The District will include in its records the name, location, and contact information of each entity or facility from whom the recovered organic waste products were procured, and a general description of how the product was used, and if applicable, where the product was applied. Records will also include any copies of invoices or similar records evidencing all procurement.</p>	

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14 CCR Section 18995.1 - Jurisdiction Inspection Requirements	
<p>#13: District does not have a compliance review program to ensure compliance with Section 18995.1(a)(1)(A) and (B).</p>	
Action:	Proposed Schedule:
Task 1: Conclude on-going negotiations with franchise haulers (began negotiations in 2021)	Anticipated completion date: 1/1/2023 (please note that success of negotiations may be outside of the City's control)
Task 2: Complete revisions to the franchise agreement for collection and processing	Start January 2023 - complete April 2023 (4 months pending completion of Task 1)
Task 3: Seek District approval of franchise agreement	Anticipated completion date: 7/1/2023 agreement effective date (dependent upon completion of Task 2)
Explanation:	
<p>Per #1, until negotiations conclude and franchise agreement is finalized and adopted by the District, the District will only be able to inspect some generators or violations until the hauler provides organic waste collection services to all generators. Compliance reviews will commence upon agreement or hiring of an enforcement designee for applicable SB 1383-violations until the negotiated agreement goes into effect at which time all reviews will be provided.</p>	
14 CCR Section 18995.2 - Implementation Record and Recordkeeping Requirements	
<p>#14: The District is not currently maintaining all records required by Title 14, Division 7, Chapter 12 in an implementation record.</p>	
Action:	Proposed Schedule:
Task 1: Conclude on-going negotiations with franchise haulers (began negotiations in 2021)	Anticipated completion date: 1/1/2023 (please note that success of negotiations may be outside of the City's control)
Task 2: Complete revisions to the franchise agreement for collection and processing	Start January 2023 - complete April 2023 (4 months pending completion of Task 1)
Task 3: Seek District approval of franchise agreement	Anticipated completion date: 7/1/2023 agreement effective date (dependent upon completion of Task 2)
Task 4: Outreach/Education of new/expanded services to generators	Date to be completed: 1/1/2024
Task 5: Roll-out of containers by haulers	Date to be completed: 1/1/2024
Task 6: Begin route review and inspection programs	Date to be completed: 7/1/2023
Task 7: Include prescribed recordkeeping requirements in Implementation Record	Date to be completed: 1/1/2024
Explanation:	
<p>Per #1, until negotiations conclude and franchise agreement is finalized and adopted by the District, the District lacks the authority to require that franchise hauler provide all of the required reporting information. Furthermore, some of the information may not be available until program implementation is completed congruent with the timelines described in this document.</p>	

City of Garden Grove

INTER-DEPARTMENT MEMORANDUM

To: Scott C. Stiles From: Patricia Song
Dept.: General Manager Dept.: Finance
Subject: Receive and file agreed-upon Date: 2/22/2022
procedures applied to
appropriation limit
worksheets for Fiscal Year
2020-21. (*Action Item*)

OBJECTIVE

For the Garden Grove Sanitary District (District) Board to receive and file the agreed-upon procedures applied to appropriation limit worksheets for Fiscal Year 2020-21.

BACKGROUND

Article XIII B of the California Constitution requires a review of a government entity's appropriations limit worksheets on an annual basis. In order to ensure the independence and reliability of the review, the City contracted with an independent audit firm, Davis Farr LLP, to perform the annual agreed-upon procedures.

DISCUSSION

The review of the District's appropriations limit worksheets for the year ended June 30, 2021, was completed on February 3, 2022, by Davis Farr LLP. The procedures applied in the review comply with Article XIII B Appropriations Limitation Uniform Guidelines published by the League of California Cities. No exceptions were noted.

FINANCIAL IMPACT

There is no fiscal impact to receive and file the auditor's reports related to the review of the District's appropriation limit worksheets for the year ended June 30, 2021. The fees for review services were provided for in the District's annual operating budget.

RECOMMENDATION

It is recommended that the Sanitary District Board:

- Receive and file the Independent Accountant’s Report on the agreed upon procedures applied to appropriations limit worksheets for compliance with the requirements of Section 1.5 of Article XIII B of the California Constitution for the year ended June 30, 2021.

ATTACHMENTS:

Description	Upload Date	Type	File Name
Report on Agreed-Upon Procedures Applied to Appropriation Limit Calculation for Fiscal Year 2020-21	2/7/2022	Exhibit	GG_Sanitary_GANN_2021.pdf

INDEPENDENT ACCOUNTANT'S REPORT

The Honorable Mayor and City Council
The Garden Grove Sanitary District
Garden Grove, California

We have performed the procedures enumerated below on the Garden Grove Sanitary District (The District) appropriations limit worksheets for compliance with the requirements of Section 1.5 of Article XIII B of the California Constitution for the year ended June 30, 2021. The District is responsible for compliance with Section 1.5 of Article XIII B of the California Constitution.

The District has agreed to and acknowledged that these procedures are appropriate to meet the intended purpose of evaluating compliance with the requirements of Section 1.5 of Article XIII B of the California Constitution and the League of California Cities publication entitled *Article XIII B Appropriations Limitation Uniform Guidelines* for the year ended June 30, 2021. This report may not be suitable for any other purpose. The procedures performed may not address all the items of interest to a user of this report and may not meet the needs of all users of this report and, as such, users are responsible for determining whether the procedures performed are appropriate for their purposes.

The procedures and the associated findings are as follows:

1. We obtained the worksheets referred to above and compared the limit and annual adjustment factors included in those worksheets to the limit and annual adjustment factors that were adopted by resolution of the Board of Directors. We also compared the population and inflation options included in the aforementioned worksheets to those that were selected by a recorded vote.

Results: No exceptions were noted as a result of our procedures.

2. We recalculated the mathematical computations reflected in The District's worksheets.

Results: No exceptions were noted as a result of our procedures.

3. We compared the current year information used to determine the current year limit and agreed it to worksheets prepared by The District and to information provided by the State Department of Finance.

Results: No exceptions were noted as a result of our procedures.

4. We compared the amount of the prior year appropriations limit presented in the worksheets to the amount adopted by the Board of Directors for the prior year.

Results: No exceptions were noted as a result of our procedures.

The Honorable Mayor and City Council
The Garden Grove Sanitary District
Garden Grove, California
Page Two

We were engaged by The District to perform this agreed-upon procedures engagement and conducted our engagement in accordance with standards established by the American Institute of Certified Public Accountants. We were not engaged to and did not conduct an examination or review, the objective of which would be the expression of an opinion or conclusion, respectively on the worksheets referred to above. Accordingly, we do not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you. No procedures have been performed with respect to the determination of the appropriation limit for the base year, as defined by the League publication entitled *Article XIII B Appropriations Limitation Uniform Guidelines*.

We are required to be independent of The District and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements related to our agreed-upon procedures engagement.

This report is intended solely for the information and use of the Management of The District and is not intended to be, and should not be, used by anyone other than the specified party.

A handwritten signature in blue ink that reads "Davis Lan UP". The signature is written in a cursive, flowing style.

Irvine, California
February 3, 2022

City of Garden Grove

INTER-DEPARTMENT MEMORANDUM

To: Scott C. Stiles From: Teresa Pomeroy
Dept.: General Manager Dept.: Secretary
Subject: Receive and file minutes Date: 2/22/2022
 from the meeting held on
 January 25, 2022. (*Action
 Item*)

Attached are the minutes from the meeting held on January 25, 2022, recommended to be received and filed as submitted or amended.

ATTACHMENTS:

Description	Upload Date	Type	File Name
Minutes	2/17/2022	Minutes	sd-min_1_25_2022.pdf

MINUTES

GARDEN GROVE SANITARY DISTRICT BOARD OF DIRECTORS

Regular Meeting

Tuesday, January 25, 2022

Community Meeting Center
11300 Stanford Avenue, Garden Grove, CA 92840

CONVENE MEETING

At 6:52 p.m., President O'Neill convened the meeting.

ROLL CALL PRESENT: (7) Members Brietigam, Bui, Jones,
Klopfenstein, K. Nguyen, Vice President D.
Nguyen, President O'Neill

ABSENT: (0) None

ORAL COMMUNICATIONS

Speakers: Brian, Tom Raber, Mike, Craig Durfey, Manuel Chavez, Nicholas Dibbs

Written Communication: Lam Tran Pham, Chung Bui

RECESS

At 7:12 p.m., President O'Neill recessed the meeting.

RECONVENE

At 7:14 p.m., President O'Neill reconvened the meeting with all Members present.

ACCEPTANCE OF PROJECT COMPLETION FOR PROJECT NO. CP1254000, ARTERIAL STREETS REHABILITATION AND SANITARY DISTRICT SEWER IMPROVEMENT ON GARDEN GROVE BOULEVARD (JOINT ACTION WITH THE CITY COUNCIL)
(F: 96:PROJ.CP1254000)

It was moved by Member Klopfenstein, seconded by Member Brietigam that:

Project No. CP1254000 – Arterial Streets Rehabilitation Project and Sanitary District Sewer Improvements on Garden Grove Boulevard be accepted as complete;

The City Manager/General Manager be authorized to execute the Notice of Completion of Public Works Improvement and Work; and

The Finance Director be authorized to release the retention payment when appropriate.

The motion carried by a 7-0 vote as follows:

Ayes: (7) Brietigam, Jones, Klopfenstein, K. Nguyen, D.
Nguyen, O'Neill, Bui
Noes: (0) None

RECEIVE AND FILE MINUTES FROM THE MEETING HELD ON DECEMBER 14, 2021
(F: Vault)

It was moved by Member Klopfenstein, seconded by Member Brietigam that:

The minutes from the meeting held on December 14, 2021, be received and filed.

The motion carried by a 7-0 vote as follows:

Ayes: (7) Brietigam, Jones, Klopfenstein, K. Nguyen, D.
Nguyen, O'Neill, Bui
Noes: (0) None

ADJOURNMENT

At 7:15 p.m., President O'Neill adjourned the meeting. The next Regular Sanitary District Meeting will be on Tuesday, February 22, 2022, at 5:30 p.m. at the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, California.

Teresa Pomeroy
Secretary