

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, TO AUTHORIZE SUBMISSION TO CAL RECYCLE A NOTIFICATION OF INTENT TO COMPLY WITH THE MANDATES OF SENATE BILL 1383 TO ACHIEVE THE ORGANIC WASTE REDUCTION GOALS ESTABLISHED IN SECTION 39730.6 OF THE CALIFORNIA HEALTH AND SAFETY CODE

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% reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75% reduction in the level of the statewide disposal of organic waste from the 2014 level by 2025; and

WHEREAS, the City of Fresno is a local jurisdiction required to comply with the Regulations; and

WHEREAS, the City of Fresno is or expects to be facing continuing violations of the Regulations commencing during the 2022 calendar year; and

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

1 of 3

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: 

Resolution No. _____

action plan; and

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

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 Council of the City of Fresno as follows:

1. Adopts the Notification of Intent to Comply attached as "Exhibit A."
2. Authorizes and directs the City Manager or 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 the above referenced requirements, the City of Fresno 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 City of Fresno by and through its City Manager, or designee, 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 City Manager, or designee, is hereby authorized and directed to execute and submit any required documents and reports required to obtain compliance.

6. This resolution shall be effective upon final approval.

* * * * *

STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, TODD STERMER, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the _____ day of _____ 2022.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2022
Mayor Approval/No Return: _____, 2022
Mayor Veto: _____, 2022

TODD STERMER, CMC
City Clerk

By: _____
Deputy Date

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By: _____
Angela M. Karst Date
Deputy City Attorney

Attachment: Exhibit A - Notification of Intent to Comply

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: City of Fresno

County: Fresno

Person Completing the Form: Ahmad Alkhayyat, PE, MBA

First Name: Ahmad

Last Name: Alkhayyat

Title: Assistant Director

Mailing Address: 1325 El Dorado Street

City: Fresno

Zip Code: 93706

Email Address: Ahmad.Alkhayyat@fresno.gov

Phone Number: (559) 621-1801

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)
- (2)
- (3)
- (4)
- (5)

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

The City has experienced some challenges in their efforts to comply with the January 1, 2022 implementation of its SB 1383 programs.

The following are some of the key influencing factors:

- 1) COVID-19 staffing and economic impacts (detailed below in Section 3).
- 2) Unanticipated and untimely loss of key solid waste/recycling staff leadership (Assistant Director departed in May 2021) impacting the planning, guidance and implementation of SB 1383 programs. The previous Assistant Director left City employment without properly handing off the SB 1383 implementation tasks, requiring remaining staff to quickly educate themselves on the regulations, status, and additional needs to bring the City into compliance. This caused a significant delay in implementation.
- 3) The City has not raised solid waste rates in over 12 years. An updated rate study analysis is needed, but due to the COVID pandemic and associated economic concerns, rate study analysis has not been authorized to proceed. Solid waste rates must include the costs and

services associated with SB 1383 implementation, including additional costs for collection and material processing of food scraps.

3. A description of the impacts of the COVID-19 pandemic on compliance.
 - 1) ECONOMICS: While the overall worldwide impacts of the COVID-19 have been felt by many, the City of Fresno has been especially sensitive to the overall economic impacts on residents. The City's focus has been on trying to help customers/residents who have experienced economic hardships as a direct result of the pandemic, including:
 - a) A moratorium on water shut-offs, a key instrument for collection of past-due balances.
 - b) A moratorium on collection of delinquency fees for those unable or refusing to pay for utilities due to pandemic-related economic hardships.With these moratoriums in place, it has not been appropriate to discuss the need for increased solid waste rates and rate analysis has not yet been authorized to proceed.
 - 2) OPERATIONAL CHALLENGES: Health and safety challenges from the pandemic created a backlog in the provision of services due to an unexpected need to overcome technology challenges related to establishment of remote work connectivity of staff, and field staffing shortages.
 - a) Office staff were physically out of office for over 18 months - resulting in a complete reprioritization of objectives and a delay in service delivery.
 - b) Many employees out sick or caring for family with COVID-related illness contributed to delays in planning and execution of activities deemed in the short-term to be non-essential. Critical to and compounding this, again, was the unanticipated and untimely loss of key staff leadership (Assistant Director).
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.
 - 1) STAFFING: Hired a new Assistant Director, who started work with the City in December 2021. The City is also looking to hire a full-time staff member dedicated specifically to SB 1383 compliance activities.
 - 2) CONSULTANTS: The City contracted with SCS Engineers for SB 1383 compliance assistance, including assessment, planning and support services. The City also plans to contract with HF&H Consultants, LLC for completion of a residential solid waste rate analysis that incorporates increased costs due to SB 1383 compliance.
 - 3) IMPLEMENTATION TIMELINE: The City has developed a timeline for SB 1383 implementation. Included in the timeline are all of the known high-level tasks to be addressed in as noted in the attached NOIC Addenda.

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

-----	Ahmad Alkhayyat	Assistant Director	2/18/2022
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: NOTE: Separate document, mirroring this format, to be attached (FYI, we were unable to edit/input the Regulatory Requirement and Description box as shown in the examples provided)	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: <i>4/7/2022</i>
TASK 2: <i>The city will work with its hauler to find a facility to accept mixed organic waste.</i>	Date to be completed: <i>4/14/2022</i>

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: <i>4/21/2022</i>
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: <i>4/28/2022</i>

Addenda - SB 619 Notice of Intent to Comply (NOIC)

City of Fresno

<p>Regulatory Requirement: (B) 14 CCR Section 18984.1 Three-Container Organic Collection Services</p> <p>Description: Not implementing mandatory residential food waste collection for residents. Note: The City of Fresno does already provide mandatory green waste collection to all residents.</p>	
Action	Proposed Schedule
TASK 1: City Council approval of resolution authorizing NOIC	Date to be completed: <i>2/17/2022</i>
TASK 2: City Council approval of updates to Fresno Municipal Code (Article 2 – Waste Collection and Disposal)	Date to be completed: <i>3/10/2022</i>
TASK 3: Amend contracts with green waste processing facilities to add food scraps to residential green waste collection materials	Date to be completed: <i>1/1/2023</i>
TASK 4: Complete residential services rate study and Prop 218 notification process	Date to be completed: <i>3/1/2023</i>
TASK 5: City Council approval of residential collection rates	Date to be completed: <i>4/1/2023</i>
TASK 6: Implement residential food scraps/organics collection service	Date to be completed: <i>9/1/2023</i>

<p>Regulatory Requirement: (E) 14 CCR Section 18984.4 Recordkeeping Requirements for Compliance with Organic Waste Collection Services</p> <p>Description: Not implementing recordkeeping requirements for compliance with organic waste collection services due to the delay in implementing residential food waste collection.</p>	
Action	Proposed Schedule
TASK 1: Analyze current reporting and recordkeeping systems, and amend where necessary, to comply with recordkeeping requirements for organic waste collection services	Date to be completed: <i>7/1/2023</i>
TASK 2: Implement expanded recordkeeping system that incorporates residential food scraps/organics collection services and complies with recordkeeping requirements for organic waste collection services	Date to be completed: <i>9/1/2023</i>

Addenda - SB 619 Notice of Intent to Comply (NOIC)

City of Fresno

<p>Regulatory Requirement: (F) 14 CCR Section 18984.5 Container Contamination Minimization</p> <p>Description: Not implementing container contamination minimization inspections and evaluations due to delay in establishment of residential food scraps collection. Note: City started a residential recycling and organics lid flip program on 1/18/22</p>	
Action	Proposed Schedule
TASK 1: Determine container contamination minimization inspection method	Date to be completed: <i>1/18/2022</i>
TASK 2: Begin container contamination minimization inspection program (“lid-flip” program)	Date to be completed: <i>1/18/2022</i>
TASK 3: Develop plan for expanded residential contamination minimization inspection program to include food scraps	Date to be completed: <i>9/1/2023</i>
TASK 4: Implement expanded contamination minimization inspections including food scraps concurrent with implementation of residential food scraps/organics collection services	Date to be completed: <i>9/1/2023</i>

<p>Regulatory Requirement: (G) 14 CCR Section 18984.6 Recordkeeping Requirements for Container Contamination Minimization</p> <p>Description: Not implementing Not implementing full recordkeeping requirements for container contamination minimization due to the delay in establishment of food scraps collection. Note: City started a residential recycling and organics lid flip program 1/18/22</p>	
Action	Proposed Schedule
TASK 1: Determine residential container contamination minimization (“lid-flip” program) recordkeeping approach	Date to be completed: <i>1/18/2022</i>
TASK 2: Begin residential container contamination minimization inspection program (“lid-flip” program)	Date to be completed: <i>1/18/2022</i>
TASK 3: Develop expanded reporting and recordkeeping systems to include food scraps contamination inspection reports	Date to be completed: <i>7/1/2023</i>
TASK 4: Implement expanded residential contamination minimization recordkeeping to include food scraps concurrent with expanded contamination minimization inspections	Date to be completed: <i>9/1/2023</i>

Addenda - SB 619 Notice of Intent to Comply (NOIC)

City of Fresno

<p>Regulatory Requirement: (I) 14 CCR Section 18984.8 Container Labeling Requirements</p> <p>Description: Not implementing the container labeling requirements due to the delay in implementing food waste collection.</p>	
Action	Proposed Schedule
TASK 1: Order residential cart labels/decals	Date to be completed: <i>4/1/2023</i>
TASK 2: Prepare residential cart label/decal distribution plan	Date to be completed: <i>4/1/2023</i>
TASK 3: Distribute residential cart labels/decals to customers	Date to be completed: <i>9/1/2023</i>

<p>Regulatory Requirement: (J) 14 CCR Section 18984.11 Waivers Granted by a Jurisdiction</p> <p>Description: Not implementing waivers due to the delay in completing the necessary contract amendments with the City's two commercial haulers.</p>	
Action	Proposed Schedule
TASK 1: Establish a waiver application, waiver qualification process, waiver approval process, and waiver recordkeeping procedure	Date to be completed: <i>4/1/2022</i>
TASK 2: Amend contracts with commercial franchise haulers and Non-Exclusive Roll-Off (NERO) haulers to incorporate waiver process	Date to be completed: <i>1/1/2023</i>
TASK 3: Implement waiver process concurrent with implementation of commercial and roll-off organics collection	Date to be completed: <i>3/1/2023</i>

Addenda - SB 619 Notice of Intent to Comply (NOIC)

City of Fresno

Regulatory Requirement: (J) 14 CCR Section 18984.14 Recordkeeping Requirements for Waivers and Exemptions	
Description: Not implementing recordkeeping requirements for waivers and exemptions due to the delay in completing the necessary contract amendments with the City's two commercial haulers	
Action	Proposed Schedule
TASK 1: Establish waiver recordkeeping procedure	Date to be completed: <i>4/1/2022</i>
TASK 2: Amend commercial franchise hauler and NERO hauler contracts to incorporate waiver recordkeeping	Date to be completed: <i>1/1/2023</i>
TASK 3: Implement waiver recordkeeping concurrent with implementation of commercial and roll-off organics collection	Date to be completed: <i>3/1/2023</i>

Regulatory Requirement: (K) 14 CCR Section 18985.1 Organic Waste Recovery Education and Outreach	
Description: Not implementing residential outreach and education	
Action	Proposed Schedule
TASK 1: Develop residential food waste education & outreach plan	Date to be completed: <i>7/1/2022</i>
TASK 2: Develop residential food waste education & outreach materials	Date to be completed: <i>7/1/2023</i>
TASK 3: Develop residential food waste education & outreach recordkeeping procedure	Date to be completed: <i>7/1/2023</i>
TASK 3: Implement residential food waste education & outreach education program concurrent with implementation of residential food scraps/organics collection services	Date to be completed: <i>9/1/2023</i>

Addenda - SB 619 Notice of Intent to Comply (NOIC)

City of Fresno

<p>Regulatory Requirement: (N) 14 CCR Section 18988.1 Jurisdiction Approval of Haulers and Self-Haulers</p> <p>Description: Not implementing jurisdiction approval of haulers and self-haulers due to the delay in completing the necessary contract amendments with the City's two commercial haulers.</p>	
Action	Proposed Schedule
TASK 1: City Council approval of updates to Fresno Municipal Code (Article 2 – Waste Collection and Disposal)	Date to be completed: <i>3/10/2022</i>
TASK 2: Establish hauler and self-hauler facility reporting process	Date to be completed: <i>1/1/2023</i>
TASK 3: Amend commercial franchise hauler and NERO hauler contracts	Date to be completed: <i>1/1/2023</i>
TASK 4: Implement commercial and roll-off organics collection program with approved commercial franchise haulers and NERO haulers	Date to be completed: <i>3/1/2023</i>

<p>Regulatory Requirement: (W) 14 CCR Section 18993.1 Recovered Organic Waste Product Procurement Requirements.</p> <p>Description: Have not updated procurement policy to include recovered organic waste product procurement requirements. Note: The City of Fresno has long supported recycled content purchases including the incorporation of various mulch products on City properties; however, has decentralized purchasing and does not track all purchases.</p>	
Action	Proposed Schedule
TASK 1: Calculate recovered organic waste product procurement target	Date to be completed: <i>2/1/2022</i>
TASK 2: Establish progress tracking method for recovered organic waste product procurement	Date to be completed: <i>2/1/2022</i>
TASK 3: Update City procurement policy (Administrative Order) to incorporate recovered organics products and recycled paper products	Date to be completed: <i>1/1/2023</i>
TASK 4: Implement full City participation in recovered organic waste product procurement program	Date to be completed: <i>1/1/2023</i>

Addenda - SB 619 Notice of Intent to Comply (NOIC)

City of Fresno

<p>Regulatory Requirement: (X) 14 CCR Section 18993.2 Recordkeeping Requirements for Recovered Organic Waste Procurement Target</p> <p>Description: Not implementing recordkeeping requirements for recovered organic waste product procurement until internal analysis is completed for City purchasing and potential franchise agreement requirements on potential contractor purchasing is evaluated.</p>	
Action	Proposed Schedule
TASK 1: Update City procurement policy (Administrative Order) to incorporate recovered organics products and recycled paper products	Date to be completed: <i>1/1/2023</i>
TASK 2: Develop recordkeeping procedure for procurement of recovered organics products	Date to be completed: <i>1/1/2023</i>
TASK 3: Implement recordkeeping procedure for procurement of recovered organics products concurrent with full City participation in procurement program	Date to be completed: <i>1/1/2023</i>

<p>Regulatory Requirement: (BB) 14 CCR Section 18995.1(a)(1) Jurisdiction Inspection Requirements</p> <p>Description: Not implementing an inspection and enforcement program to ensure overall compliance.</p>	
Action	Proposed Schedule
TASK 1: Outline inspection program and recordkeeping requirements for commercial container contamination minimization	Date to be completed: <i>11/1/2022</i>
TASK 2: Incorporate inspection program and recordkeeping requirements into amended franchise commercial hauler agreements	Date to be completed: <i>1/1/2023</i>
TASK 3: Implement commercial inspection program concurrent with implementation of commercial and roll-offs organics collection program	Date to be completed: <i>3/1/2023</i>

Addenda - SB 619 Notice of Intent to Comply (NOIC)

City of Fresno

Regulatory Requirement: (BB) 14 CCR Section 18995.1(a)(2) Jurisdiction Inspection Requirements	
Description: Not implementing inspections of Tier One commercial Edible Food Generators (EFG) and food recovery organizations	
Action	Proposed Schedule
TASK 1: Develop edible food generator inspection plan including roles, responsibilities, tracking procedures, recordkeeping, and complaint receipts	Date to be completed: <i>11/1/2022</i>
TASK 2: Implement edible food generator inspection program	Date to be completed: <i>3/1/2023</i>

Regulatory Requirement: (CC) 14 CCR Section 18995.2 Implementation Record and Recordkeeping Requirements.	
Description: Not implementing Implementation Record and recordkeeping requirements	
Action	Proposed Schedule
TASK 1: Determine residential container contamination minimization recordkeeping approach	Date to be completed: <i>1/18/2022</i>
TASK 2: Establish waiver recordkeeping procedure	Date to be completed: <i>4/1/2022</i>
TASK 3: Develop parameters for Implementation Plan and recordkeeping requirements	Date to be completed: <i>7/1/2022</i>
TASK 4: Develop residential food waste education & outreach recordkeeping procedure	Date to be completed: <i>7/1/2022</i>
TASK 5: Outline recordkeeping requirements for commercial container contamination minimization	Date to be completed: <i>11/1/2022</i>
TASK 6: Develop edible food generator recordkeeping and tracking procedures	Date to be completed: <i>11/1/2022</i>
TASK 7: Amend contracts with commercial franchise haulers and Non-Exclusive Roll-Off (NERO) haulers including recordkeeping requirements	Date to be completed: <i>1/1/2023</i>
TASK 8: Develop recordkeeping procedure for procurement of recovered organic waste products	Date to be completed: <i>1/1/2023</i>
TASK 9: Develop expanded reporting and recordkeeping systems to include food scraps contamination inspection reports	Date to be completed: <i>7/1/2023</i>
TASK 10: Implement expanded Implementation and recordkeeping requirements concurrent with implementation of residential food scraps/organics collection services and all ancillary programs	Date to be completed: <i>9/1/2023</i>

Addenda - SB 619 Notice of Intent to Comply (NOIC)

City of Fresno

Regulatory Requirement: (EE) 14 CCR Section 18995.4 Enforcement by Jurisdiction	
Description: Not implementing enforcement actions against Tier 1 Edible Food Generators until an Edible Food Inspection Plan has been developed.	
Action	Proposed Schedule
TASK 1: Develop edible food generators enforcement plan including roles, responsibilities, tracking procedures, recordkeeping, and complaint receipts	Date to be completed: <i>11/1/2022</i>
TASK 3: Implement edible food generators enforcement program	Date to be completed: <i>3/1/2023</i>

**City of Fresno:
Key Milestones TIMELINE**

Color Key	
Commercial	
Residential	
Administrative	
Legislative	

	Date of Completion	Task
	1/18/2022	Determine residential container contamination
	1/18/2022	Determine residential container contamination minimization recordkeeping approach
	1/18/2022	Begin residential container contamination minimization inspection program
	2/1/2022	Calculate recovered organic waste product procurement target
	2/1/2022	Establish progress tracking method for recovered organic waste product procurement
	2/17/2022	City Council: Introduction of updates to Fresno Municipal Code (Article 2 - Waste Collection and Disposal)
	2/17/2022	City Council: Approval of resolution authorizing NOIC
	3/10/2022	City Council: Adoption of updates to Fresno Municipal
	4/1/2022	Establish a waiver application, waiver qualification process, waiver approval process, and waiver
Complete 7/1/2022	7/1/2022	Develop residential food waste education & outreach plan
	7/1/2022	Develop residential food waste education & outreach recordkeeping procedure
	7/1/2022	Develop parameters for Implementation Plan and recordkeeping requirements
Complete 11/1/2022	11/1/2022	Outline inspection program and recordkeeping requirements for commercial container contamination minimization
	11/1/2022	Develop edible food generator inspection plan including roles, responsibilities, tracking procedures, recordkeeping, and complaint receipts
Complete 1/1/2023	1/1/2023	Amend contracts with commercial franchise haulers (Mid Valley & Republic) to incorporate commercial organics collection and inspection programs, waiver process, procurement, and recordkeeping requirements
	1/1/2023	Amend contracts with Non-Exclusive Roll-Off (NERO) haulers for commercial collection and inspection programs, waiver process, procurement, and recordkeeping requirements
	1/1/2023	Amend contracts with green waste processing facilities to add food scraps to residential green waste collection materials
	1/1/2023	Establish hauler and self-hauler facility reporting process
	1/1/2023	Update City procurement policy (Administrative Order) to incorporate recovered organic waste products and recycled paper products
	1/1/2023	Develop recordkeeping procedure for procurement of recovered organic waste products
	1/1/2023	Implement full City participation in procurement of recovered organic waste products
	1/1/2023	Residential collection services rate study completion
Complete 3/1/2023	3/1/2023	Implement commercial and roll-off organics collection program
	3/1/2023	Implement edible food generators inspection program
	3/1/2023	Complete Prop 218 notification process for residential collection rates
Complete 4/1/2023	4/1/2023	Obtain City Council approval of residential collection rates
	4/1/2023	Order residential carts labels/decals
	4/1/2023	Prepare residential carts label/decals distribution plan
Complete 7/1/2023	7/1/2023	Develop expanded residential contamination minimization inspection program to include food scraps
	7/1/2023	Develop expanded reporting and recordkeeping systems to include food scraps contamination inspection reports
	7/1/2023	Finalize residential education & outreach materials
Complete 9/1/2023	9/1/2023	New rates effective
	9/1/2023	Distribute residential carts labels/decals to customers
	9/1/2023	Implement residential food scraps/organics collection services
	9/1/2023	Implement residential food scraps education & outreach program
	9/1/2023	Implement expanded recordkeeping that incorporates residential food scraps/organics collection services
	9/1/2023	Implement expanded residential contamination minimization inspection program and recordkeeping to include food scraps