

Mayor
William Siegel
Mayor Pro Tem
Lois Wynne
Council Members
John Gordon
Eddie Neal
Willard Rodarmel



**Office of the
City Manager**

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To: Lemoore City Council
From: Jeff Laws, Acting City Manager
Date: October 10, 2013
Subject: Activity Update

Reports

- ◆ Fire Incidents Monthly Report September 2013
- ◆ Building Inspection Report September 2013
- ◆ Refuse Report September 2013
- ◆ Water Production Report September 2013
- ◆ League of CA Cities' Report – Approved Resolutions 2013 September 2013

Letters

- ◆ Letter from Senator Alex Padilla – SB 405 October 1, 2013

SEPTEMBER 2013 -CALENDAR YEAR

LVFD MONTHLY CALLS

	NAME	WEEK 1	WEEK 2	WEEK 3	WEEK 4	WEEK 5	MEETINGS / DRILLS	GEN FIRES	PA EMT	MISC.	MONTHLY TOTAL	FIRES / YTD	EMT / YTD	MISC. / YTD	MEETINGS / DRILLS YTD	YEAR TO DATE TOTAL	YTD %
	TOTAL DISPATCHED	1	1	1	1	0	4	14	157	1	176	167	1111	18	39	1335	100%
50		0	0	1	1	0	2	2	20	0	24	29	160	1	26	216	16%
85		1	1	1	1	0	4	4	53	1	62	15	72		6	94	7%
49		0	1	1	1	0	3	6	52	1	62	63	346	6	28	443	33%
76		1	1	1	1	0	4	4	35	0	43	57	319	1	29	406	30%
82		1	1	0	1	0	3	5	43	0	51	93	415	3	37	548	41%
43											0	36	109	2	23	170	13%
84		1	1	1	1	0	4	7	49	0	60	81	274	2	30	387	29%
27		1	1	1	1	0	4	3	25	0	32	72	285	2	37	396	30%
8		1	1	1	1	0	4	9	81	1	95	77	378	4	37	496	37%
80		0	1	1	1	0	3	3	41	1	48	76	347	9	33	465	35%
2		0	1	1	1	0	3	8	45	0	56	88	412	2	38	540	40%
78		1	1	0	1	0	3	6	52	0	61	88	377	1	34	500	37%
48		1	1	1	1	0	4	10	52	0	66	97	400	4	32	533	40%
15											0	7	27	1	9	44	3%
52		1	0	1	1	0	3	7	41	0	51	52	226	4	33	315	24%
11		1	0	1	1	0	3	6	46	0	55	98	452	11	34	595	45%
56		1	1	1	1	0	4	3	44	0	51	40	215	4	27	286	21%
17		0	1	1	1	0	3	4	40	0	47	71	345	4	34	454	34%
36		1	1	1	1	0	4	5	43	1	53	70	291	4	26	391	29%
35		1	0	0	1	0	2	1	17	0	20	61	281	1	25	368	28%
77		1	1	1	1	0	4	6	56	1	67	106	421	11	36	574	43%
79		1	1	1	1	0	4	5	52	0	61	74	405	3	36	518	39%
81		0	1	1	0	0	2	2	37	0	41	30	197	2	27	256	19%
73		1	1	1	1	0	4	6	54	1	65	67	328	2	38	435	33%
19		1	1	1	1	0	4	5	65	1	75	114	421	3	38	576	43%
23		1	1	1	1	0	4	5	31	0	40	58	220	5	38	321	24%
68		1	1	1	1	0	4	9	49	1	63	112	410	10	39	571	43%
83		1	1	1	1	0	4	10	59	1	74	128	555	7	37	727	54%
72		1	1	1	1	0	4	7	41	0	52	110	339	4	36	489	37%
62		1	1	1	1	0	4	7	56	0	67	111	416	9	36	572	43%
24		0	1	1	1	0	3	6	49	0	58	65	324	6	33	428	32%
38		1	1	1	1	0	4	5	46	0	55	45	210	3	33	291	22%
29		1	1	1	1	0	4	5	49	1	59	70	238	3	36	347	26%
65		1	0	1	1	0	3	3	39	0	45	56	283	4	30	373	28%
57		1	1	1	1	0	4	3	21	0	28	42	202	1	26	271	20%
21											0	1	5	0	2	8	1%
86		0	0	1	1	0	2	1	21	1	25	1	21	1	2	25	0%
	COLUMN TOTALS	26	28	31	33	0	118	178	1605	12	1812	2461	10730	140	2001	14429	

\$9,060.00 ACCOUNT # 4222-4310

CITY OF LEMOORE
BUILDING INSPECTION PERMITS REPORT

Description	PERMITS ISSUED		VALUATION	
	Current Month	Current Year to Date	Current Month	Year to Date
Res. Single Family - New	4	14	\$ 660,264.42	\$ 2,244,160.60
Res. Condo./PUD - New	0	0	\$ -	\$ -
Res. Multi-Family - New	0	0	\$ -	\$ -
Apartment - New	0	0	\$ -	\$ -
Commercial / Industrial - New	0	0	\$ -	\$ -
Alterations - Residential	53	103	\$ 839,089.00	\$ 1,417,116.00
Alterations - Commercial / Industrial	6	13	\$ 30,345.00	\$ 540,952.00
Swimming Pool	2	4	\$ 54,500.00	\$ 107,000.00
Bldg. Moved or Demolished	1	1	\$ -	\$ -
TOTALS	66	135	\$ 1,584,198.42	\$ 4,309,228.60

DWELLING UNITS

Description	Current Month	Current Year to Date	Location of Multi-Family Units	Last Year to Date
Single Family	4	14		23
Condo/PUD	0	0		0
Multi-Family	0	0		0
Apartments	0	0		0
TOTALS	4	14		23

CITY OF LEMOORE
NEW PERMIT ISSUED REPORT
SEPTEMBER 2013

Permit #	A.P.N.	Owner Information	Address	Work Description	Valuation	Bldg	Plumb	Elect	Mech	Seismic
1301-007	020-017-001	GARCIA, GENEVIEVE ET	541 G ST	ANTENNAS	15,000.00	225.50	0.00	125.00	0.00	1.50
1307-027	021-300-009	LEMOORE CAPITAL LP	1118 N LEMOORE AVE	REMODEL OF EMPTY UNIT FOR NEW NAIL SALON	5,000.00	100.50	329.00	41.25	22.00	1.05
1308-004	021-320-029	PETERSON, LAVERN A & JANET M H/W	303 MERCEDES LN	SOLAR, ROOF MOUNT SYSTEM, 20 MODULES	20,000.00	125.00	0.00	15.00	0.00	2.00
1308-021	023-370-039	PRITCHARD, COREY & KAREN H/W	658 VISTA CT	SOLAR, ROOF MOUNT SYSTEM, 21 PANELS	33,442.00	125.00	0.00	0.00	0.00	3.34
1308-023	021-280-079	FRALEY, DAVID & LAURA	1477 MARY DR	SOLAR ROOF MOUNT SYSTEM	30,000.00	125.00	0.00	15.00	0.00	3.00
1308-026	020-017-004	HAUCK FAMILY TRUST	533 HILL ST	DESTRUCTION OF (9) MONITORING AND (3) SOIL VAPOR EXTRACTION WELLS.	0.00	0.00	20.00	0.00	0.00	0.00
1308-027	023-090-006	MC BAIN, CLAY H & RHONDA H/W	435 HELENE ST	SOLAR, PHOTOVOLTAIC SYSTEM	38,750.00	125.00	0.00	15.00	0.00	3.88
1308-029	021-310-004	KINGS COMMUNITY ACTION ORGANIZATION	1075 BLAKE ST	CREATE KITCHENETTE IN STORAGE CLOSET WITH 2 NEW 20 AMP CIRCUITS, 1 SINK, 1 CONVECTION OVEN/MICROWAVE & 2 BURNER STOVE	2,100.00	75.50	68.00	16.50	0.00	0.50
1308-030	021-310-004	KINGS COMMUNITY ACTION ORGANIZATION	1075 BLAKE ST	REMOVE OLD SHED AND BUILD LARGER PERMANENT SHED	2,500.00	75.50	0.00	0.00	0.00	0.50
1308-039	020-093-010	LEMOORE PRESBYTERIAN CHURCH	222 B ST	DEMOLITION OF SINGLE FAMILY DWELLING	0.00	0.00	0.00	0.00	0.00	0.00
1308-040	021-360-009	VERBOON BYPASS TRUST 21.8320%	855 N LEMOORE AVE	ADDING 1 ELECTRICAL OUTLET TO STARBUCKS	0.00	0.00	0.00	15.75	0.00	0.00
1309-001	021-760-049	MORA, PEDRO	1635 TULIP ST	PATIO	2,000.00	170.00	0.00	0.00	0.00	0.50
1309-004	021-280-079	FRALEY, DAVID & LAURA H/W JT	1477 MARY DR	TEAR OFF, RESHEET, LANDMARK LIFETIME, 4/12 PITCH	10,840.00	105.00	0.00	0.00	0.00	1.08
1309-005	023-230-005	MILLER, PATRICIA L TRUST 50%	909 W BUSH ST	APARTMENT FIRE REMODEL, APARTMENT 14	83,480.00	792.50	0.00	41.00	0.00	8.35
1309-006	023-200-025	BALUNAN, FELIPE U & PLACIDA O H/W	831 REDWOOD LN	TEAR OFF, RESHEET, 30 YEAR COMP, 5/12 PITCH	9,000.00	105.00	0.00	0.00	0.00	0.90
1309-007	021-760-044	WILSON, MARK J & SANJA L H/W	794 DRIFTWOOD AVE	SOLAR ROOF MOUNT SYSTEM	74,847.00	125.00	0.00	15.00	0.00	7.48
1309-008	021-820-001	WATHEN CASTANOS LEMOORE 872 LP	901 HIMALAYA DR	SOLAR ROOF MOUNT SYSTEM, 8 PANELS	13,000.00	125.00	0.00	15.00	0.00	1.30
1309-009	021-760-044	WATHEN CASTANOS LEMOORE 872 LP	899 HIMALAYA DR	SOLAR ROOF MOUNT SYSTEM, 8 PANELS	13,000.00	125.00	0.00	15.00	0.00	1.30
1309-010	021-830-003	WATHEN CASTANOS LEMOORE 872	1034 TRADITION DR	SOLAR ROOF MOUNT SYSTEM	13,000.00	125.00	0.00	15.00	0.00	1.30

CITY OF LEMOORE
NEW PERMIT ISSUED REPORT
SEPTEMBER 2013

Permit #	A.P.N.	Owner Information	Address	Work Description	Valuation	Bldg	Plumb	Elect	Mech	Seismic
1309-011	021-820-003	WATHEN CASTANOS LEMOORE 872 LP	897 HIMALAYA DR	SOLAR ROOF MOUNT SYSTEM, 8 PANELS	13,000.00	125.00	0.00	15.00	0.00	1.30
1309-012	021-820-004	WATHEN CASTANOS LEMOORE 872 LP	895 HIMALAYA PL	SOLAR ROOF MOUNT SYSTEM, 8 PANELS	13,000.00	125.00	0.00	15.00	0.00	1.30
1309-013	021-820-005	WATHEN CASTANOS LEMOORE 872 LP	893 HIMALAYA PL	SOLAR ROOF MOUNT SYSTEM, 8 PANELS	13,000.00	125.00	0.00	15.00	0.00	1.30
1309-014	021-820-006	WATHEN CASTANOS LEMOORE 872 LP	892 HIMALAYA PL	SOLAR ROOF MOUNT SYSTEM, 8 PANELS	13,000.00	125.00	0.00	15.00	0.00	1.30
1309-015	021-820-007	WATHEN CASTANOS LEMOORE 872 LP	894 HIMALAYA PL	SOLAR ROOF MOUNT SYSTEM, 8 PANELS	13,000.00	125.00	0.00	15.00	0.00	1.30
1309-016	021-820-008	WATHEN CASTANOS LEMOORE 872 LP	896 HIMALAYA DR	SOLAR ROOF MOUNT SYSTEM	13,000.00	125.00	0.00	15.00	0.00	1.30
1309-017	021-820-009	WATHEN CASTANOS LEMOORE 872 LP	955 TRADITION DR	SOLAR ROOF MOUNT SYSTEM, 8 PANELS	13,000.00	125.00	0.00	15.00	0.00	1.30
1309-018	021-820-011	WATHEN CASTANOS LEMOORE 872 LP	895 LEGACY DR	SOLAR ROOF MOUNT SYSTEM, 8 PANELS	13,000.00	125.00	0.00	15.00	0.00	1.30
1309-019	021-820-029	WATHEN CASTANOS LEMOORE 872 LP	982 TRADITION DR	SOLAR ROOF MOUNT SYSTEM, 8 PANELS	13,000.00	125.00	0.00	15.00	0.00	1.30
1309-020	021-820-030	WATHEN CASTANOS LEMOORE 872 LP	972 TRADITION DR	SOLAR ROOF MOUNT SYSTEM, 8 PANELS	13,000.00	125.00	0.00	15.00	0.00	1.30
1309-022	021-820-032	WATHEN CASTANOS LEMOORE 872 LP	952 TRADITION DR	SOLAR ROOF MOUNT SYSTEM, 8 PANELS	13,000.00	125.00	0.00	15.00	0.00	1.30
1309-023	021-820-033	WATHEN CASTANOS LEMOORE 872 LP	942 TRADITION DR	SOLAR ROOF MOUNT SYSTEM, 8 PANELS	13,000.00	125.00	0.00	15.00	0.00	1.30
1309-024	021-830-005	WATHEN-CASTANOS	893 LEGEND DR	SFR, SINGLE STORY, 2 CAR GARAGE, 1,695 SQ, ELEV. B. BAY WINDOWS AT MASTER AND DINING	129,740.36	1,045.00	111.00	74.33	30.00	12.97
1309-025	021-820-008	WATHEN CASTANOS LEMOORE 872 LP	896 HIMALAYA DR	SFR, SINGLE STORY, 3 CAR GARAGE, 2,360 SQ, ELEV. C, PATIO COVER OPTION	179,566.28	1,295.00	153.00	97.60	30.00	17.96
1309-026	021-800-036	WOODSIDE 05N LP	784 ARLINGTON AVE	SFR, 3 CAR GARAGE, TWO STORY, 2,714 SQ FT, ELEV.C, EXTENDED PATIO OPTION	204,485.48	1,420.00	151.00	109.99	30.00	20.45
1309-027	021-800-035	WOODSIDE 05N LP	796 ARLINGTON AVE	SFR, 2-CAR W/SHOP, SINGLE STORY, ELEV. B, WITH EXTENDED PATIO	146,472.30	1,130.00	132.00	82.06	30.00	14.65
1309-028	023-140-024	MONTOYA, MARVIN G	420 BROOKS DR, UNIT D	GAS METER HOOK UP	0.00	0.00	25.00	0.00	0.00	0.00
1309-029	021-830-005	WATHEN-CASTANOS	893 LEGEND DR	SOLAR ROOF MOUNT SYSTEM, 8 PANELS	13,000.00	125.00	0.00	15.00	0.00	1.30

CITY OF LEMOORE
NEW PERMIT ISSUED REPORT
SEPTEMBER 2013

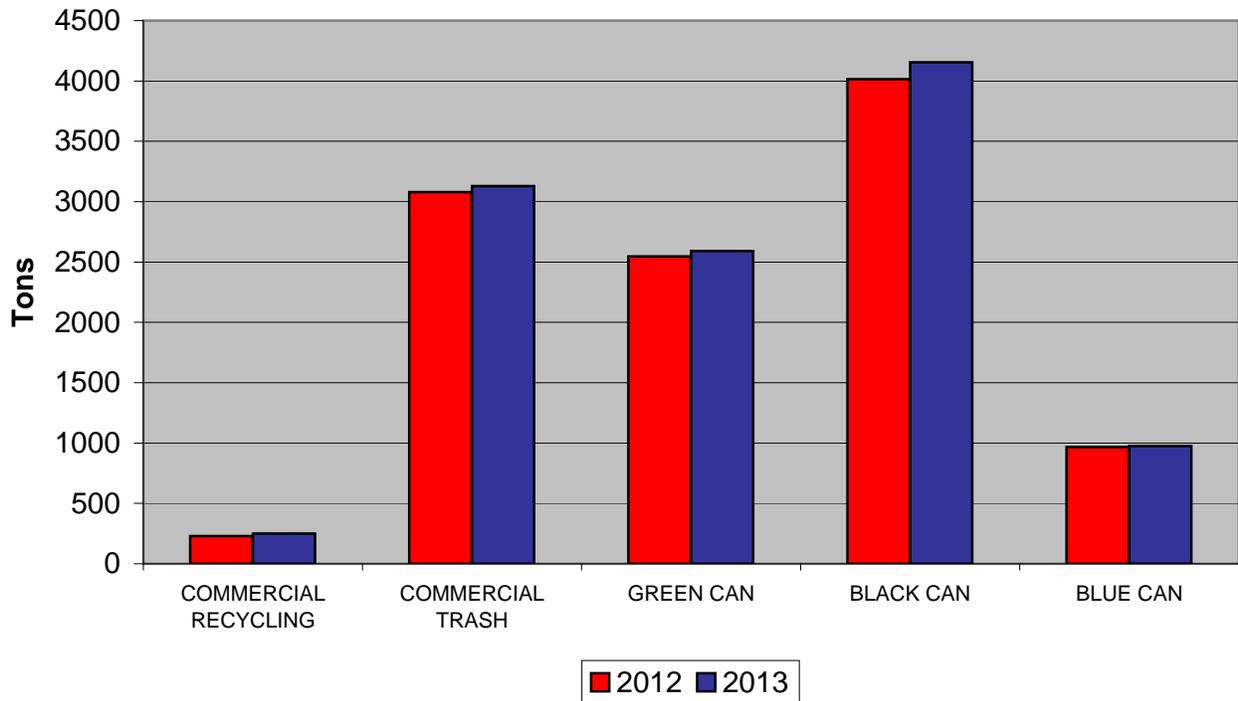
Permit #	A.P.N.	Owner Information	Address	Work Description	Valuation	Bldg	Plumb	Elect	Mech	Seismic
1309-030	021-820-028	WATHEN CASTANOS LEMOORE 872 LP	992 TRADITION DR	SOLAR ROOF MOUNT SYSTEM, 8 PANELS	13,000.00	125.00	0.00	15.00	0.00	1.30
1309-031	023-370-025	SIMONES, TREVOR	656 CONTENTA CT	SOLAR, ROOF MOUNT PHOTOVOLTAIC SYSTEM	18,175.00	125.00	0.00	15.00	0.00	1.82
1309-032	021-580-004	SHORTNACY, REUBEN P & SANDRA H/W	812 BRENTWOOD DR	SOLAR, ROOF MOUNT PHOTOVOLTAIC SYSTEM	19,595.00	125.00	0.00	15.00	0.00	1.96
1309-033	021-830-002	WATHEN CASTANOS LEMOORE 872 LP	1023 BOXWOOD LN	SOLAR, ROOF MOUNT SYSTEM, 8 PANELS	13,000.00	125.00	0.00	15.00	0.00	1.30
1309-034	021-820-010	WATHEN CASTANOS LEMOORE 872 LP	897 LEGACY DR	SOLAR, ROOF MOUNT SYSTEM, 8 PANELS	13,000.00	125.00	0.00	15.00	0.00	1.30
1309-035	021-820-023	WATHEN CASTANOS LEMOORE 872 LP	890 LEGACY DR	SOLAR, ROOF MOUNT SYSTEM, 20 PANELS	32,500.00	125.00	0.00	15.00	0.00	3.25
1309-036	021-820-024	WATHEN CASTANOS LEMOORE 872 LP	892 LEGACY DR	SOLAR, ROOF MOUNT SYSTEM, 20 PANELS	32,500.00	125.00	0.00	15.00	0.00	3.25
1309-037	021-820-027	WATHEN CASTANOS LEMOORE 872 LP	998 TRADITION DR	SOLAR, ROOF MOUNT SYSTEM, 8 PANELS	13,000.00	125.00	0.00	15.00	0.00	1.30
1309-038	021-820-022	WATHEN CASTANOS LEMOORE 872 LP	888 LEGACY DR	SOLAR, ROOF MOUNT SYSTEM, 20 PANELS	32,500.00	125.00	0.00	15.00	0.00	3.25
1309-039	023-350-032	CABRERA, JUAN & LAURA LOPEZ H/W	687 MONTEREY LN	COIL REPLACEMENT	0.00	0.00	0.00	0.00	22.00	0.00
1309-040	021-790-016	GONZALEZ, REFUGIO & PULIDO, MARIA A H/W	985 PROSPERITY DR	RESIDENTIAL SWIMMING POOL	24,500.00	235.00	0.00	0.00	0.00	2.45
1309-041	023-280-048	DELANEY, LAURA D	920 CHERRY LN	TEAR OFF, RESHEET, 30 YR COMP, 5/12 PITCH	8,500.00	105.00	0.00	0.00	0.00	0.85
1309-042	023-390-056	COTA, CARLOS M & LINDA H/W	540 BLUEJAY AVE	WATER HEATER CHANGEOUT, LOCATED IN GARAGE	0.00	0.00	27.00	0.00	0.00	0.00
1309-043	024-340-037	BAJWA, KALWINDER S	970 VISTA PL	SOLAR ROOF MOUNT SYSTEM	50,000.00	125.00	0.00	15.00	0.00	5.00
1309-045	021-610-004	MADDOX, ERIC L	862 WOODRIDGE CIR	AC CHANGEOUT, 13 SEER, 4 TON	0.00	0.00	0.00	0.00	64.00	0.00
1309-046	020-133-010	CARVALHO, ROBERT A LIVING TRUST	230 E BUSH ST, Unit I	plumbing water heater changeout, closet	0.00	0.00	27.00	0.00	0.00	0.00
1309-048	023-060-032	PEREZ, HERMENEGILDO SR & MARIA R H/W	220 BARCELONA DR	AC CHANGEOUT, 2.5 TON, 13 SEER	0.00	0.00	0.00	0.00	64.00	0.00
1309-050	021-180-071	CUNNINGHAM, CHRISTOPHER L &	1573 BELINDA DR	AC CHANGEOUT, 13 SEER, 4 TON	0.00	0.00	0.00	0.00	64.00	0.00
1309-052	023-250-012	LOWELL, CHRISTOPHER S	1040 OAKDALE LN	SOLAR ROOF MOUNT SYSTEM, 20 PANELS	31,850.00	125.00	0.00	15.00	0.00	3.19
1309-055	021-360-050	RUHOFF, HARVEY J 50%	775 PEPPER AVE	WATER HEATER CHANGEOUT LOCATED IN GARAGE	0.00	0.00	27.00	0.00	0.00	0.00

CITY OF LEMOORE
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SEPTEMBER 2013

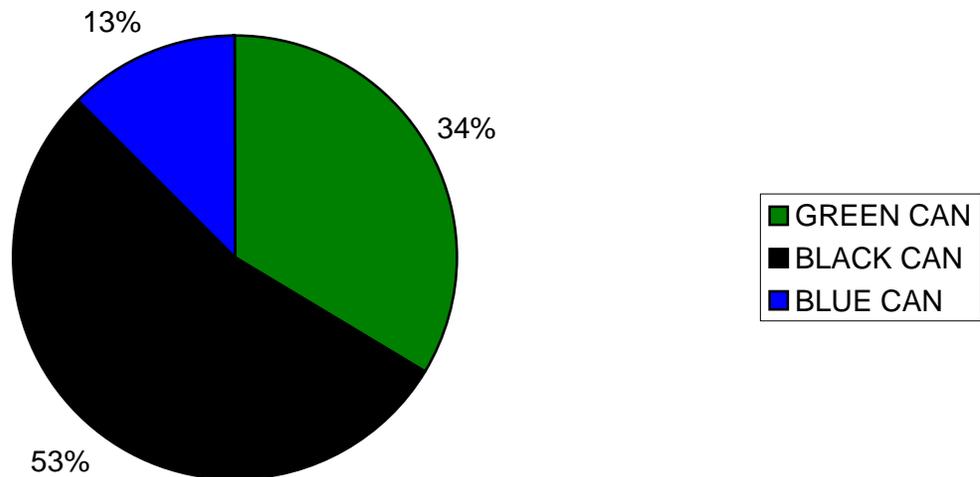
1309-056	020-122-041	WOJEWODA, WALTER J & CAROL L TRUST	350 E BUSH ST	TEAR OFF, RESHEET, 30 YR COMP, 6/12 PITCH	5,700.00	105.00	0.00	0.00	0.00	0.57
Permit #	A.P.N.	Owner Information	Address	Work Description	Valuation	Bldg	Plumb	Elect	Mech	Seismic
1309-058	023-190-015	GARZA, ROBERT	603 MIKE LN	FAMILY ROOM ADDITION ON REAR OF HOUSE WITH BATHROOM	20,160.00	300.50	69.00	15.00	0.00	2.02
1309-060	020-142-011	CARVALHO, ROBERT A LIVING TRUST	230 E BUSH ST	HVAC CHANGE OUT, 13 SEER, 2 TON, DUCT WORK	4,650.00	0.00	0.00	0.00	64.00	0.00
1309-062	023-020-006	GIOVANNETTI, JOHN B	750 E D ST	1/2 HP SEWER EJECT SYSTEM, SEPTIC TANK	0.00	0.00	60.00	0.00	0.00	0.00
1309-064	020-064-012	EVANGELO, JOHN D & BARBARA H/W	640 W D ST, APT C	A/C CHANGEOUT, 2.5 TON, 13 SEER	0.00	0.00	0.00	0.00	64.00	0.00
1309-066	020-121-016	BAZEN, CRELL SISTERS TRUST	146 LOCUST ST	hvac CHANGEOUT, 2.5 TON, 13 SEER	0.00	0.00	0.00	0.00	64.00	0.00
1309-074	021-750-025	CLEMENTE, SANDY	1518 PEACHWOOD ST	SWIMMING POOL	30,000.00	235.00	0.00	0.00	0.00	3.00
1309-078	020-053-006	PACIFIC GAS & ELECTRIC CO	208 W D ST	RE ROOF, TEAR OFF EXISTING BUR, AND INSTALLING 60 MIL PVC MEMBRANE MECHANICALLY ATTACH WITH 1/2" COVERBOARD AND 1" POLYISOYANURATE INSULATION. 42 SQUARES	20,745.00	105.00	0.00	0.00	0.00	4.36
1309-079	023-270-019	MARTINDALE, MARGARET L	430 WESTGATE PL	PATIO RE-BUILT DUE TO FIRE	5,600.00	125.00	0.00	0.00	0.00	0.56
66 Permits					1,584,198.42	11,750.00	1,199.00	1,083.48	548.00	161.64

Refuse Report

Refuse Tonnages Through SEPTEMBER 2013



2013 Residential Refuse Breakdown, Year to Date



CITY OF LEMOORE
WATER PRODUCTION
2013

<u>MONTH</u>	<u>PEAK DAY GALLONS</u>	<u>MONTHLY GALLONAGE</u>	<u>MONTHLY CUBIC FEET*</u>
JANUARY	5,066,000	132,348,000	17,693,583
FEBRUARY	5,604,000	129,994,000	17,378,877
MARCH	6,609,000	170,017,000	22,729,545
APRIL	8,828,000	211,201,000	28,235,428
MAY	9,666,000	262,385,000	35,078,208
JUNE	10,978,000	291,387,000	38,955,481
JULY	10,547,000	296,652,000	39,659,358
AUGUST	10,176,000	282,965,000	37,829,545
SEPTEMBER	9,688,000	254,390,000	34,009,358
OCTOBER			
NOVEMBER			
DECEMBER			
TOTAL:		2,031,339,000	268,569,383

* Gallons ÷ 7.48 = Cubic Feet

CITY OF LEMOORE
WATER PRODUCTION

<u>MONTH</u>	<u>2009</u> <u>PEAK DAY GALLONS</u>	<u>2010</u> <u>PEAK DAY GALLONS</u>	<u>2011</u> <u>PEAK DAY GALLONS</u>	<u>2012</u> <u>PEAK DAY GALLONS</u>	<u>2013</u> <u>PEAK DAY GALLONS</u>
JANUARY	5,053,000	5,389,000	4,396,000	5,133,000	5,066,000
FEBRUARY	5,045,000	4,625,000	4,932,000	5,499,000	5,604,000
MARCH	6,020,000	6,010,000	4,708,000	6,249,000	6,609,000
APRIL	9,310,000	6,426,000	7,607,000	6,729,000	8,828,000
MAY	8,972,000	8,855,000	8,173,000	8,877,000	9,666,000
JUNE	10,548,000	9,666,000	9,339,000	11,154,000	10,978,000
JULY	10,175,000	10,235,000	10,656,000	10,512,000	10,547,000
AUGUST	10,231,000	9,572,000	9,710,000	10,465,000	10,176,000
SEPTEMBER	9,433,000	9,302,000	10,137,000	9,712,000	9,688,000
OCTOBER	8,357,000	8,571,000	7,822,000	8,380,000	
NOVEMBER	7,100,000	5,972,000	7,414,000	6,459,000	
DECEMBER	5,875,000	4,497,000	4,964,000	5,327,000	

* Gallons ÷ 7.48 = cubic feet

CITY OF LEMOORE
WATER PRODUCTION

<u>MONTH</u>	<u>2009</u> <u>MONTHLY GALLONAGE</u>	<u>2010</u> <u>MONTHLY GALLONAGE</u>	<u>2011</u> <u>MONTHLY GALLONAGE</u>	<u>2012</u> <u>MONTHLY GALLONAGE</u>	<u>2013</u> <u>MONTHLY GALLONAGE</u>
JANUARY	124,628,000	128,423,000	117,353,000	138,630,000	132,348,000
FEBRUARY	114,072,000	114,061,000	111,965,000	133,667,000	129,994,000
MARCH	147,538,000	149,574,000	126,662,000	158,741,000	170,017,000
APRIL	199,931,000	157,303,000	156,861,000	165,356,000	211,201,000
MAY	231,113,000	206,732,000	228,233,000	242,101,000	262,385,000
JUNE	255,153,000	259,737,000	242,330,000	278,757,000	291,387,000
JULY	283,415,000	292,047,000	281,784,000	294,826,000	296,652,000
AUGUST	272,192,000	272,606,000	278,577,000	293,321,000	282,965,000
SEPTEMBER	250,709,000	245,737,000	255,360,000	258,447,000	254,390,000
OCTOBER	203,180,000	204,034,400	200,195,000	218,003,000	
NOVEMBER	170,971,000	144,578,900	154,815,006	157,856,000	
DECEMBER	<u>137,571,000</u>	<u>121,204,000</u>	<u>134,505,000</u>	<u>131,258,000</u>	<u> </u>
TOTAL:	2,390,473,000	2,296,037,300	2,288,640,006	2,470,963,000	2,031,339,000

* Gallons ÷ 7.48 = cubic feet



***FINAL REPORT
RESOLUTIONS APPROVED***

2013 Annual Conference



***Sacramento
September 20, 2013***

CITY CLERK'S OFFICE

OCT 10 2013

RECEIVED

FINAL REPORT ON RESOLUTIONS
September 2013

The 2013 League of California Cities Annual conference was held September 18-20, 2013, in Sacramento. On Wednesday, September 18, two League policy committees met and considered the resolutions that were assigned to them.

The General Resolutions Committee met on Thursday, September 19, and considered the two resolutions before them. A chart on pages 2 and 3 of this packet includes a summary of the actions taken on the resolutions by the policy committees and the General Resolutions Committee.

The resolutions contained in this packet are only those that were approved by the General Assembly on September 20. Those resolutions are numbered 1 and 2. Also included in this packet, on page 8, is a status report on the implementation of the resolutions approved at last year's 2012 Annual Conference.

We thank those city officials who served as members of policy committees, the General Resolutions committee and those city officials who participated in the General Assembly.

Additional copies of this report are available on the League's website at:
www.cacities.org/resolutions

KEY TO ACTIONS TAKEN ON RESOLUTIONS

Resolutions have been grouped by policy committees to which they have been assigned.

Number	Key Word Index	Reviewing Body Action		
		1	2	3

- 1 - Policy Committee Recommendation to General Resolutions Committee
- 2 - General Resolutions Committee
- 3 - General Assembly

ENVIRONMENTAL QUALITY POLICY COMMITTEE

		1	2	3
1	Water Bond Funds	Aa	A	A

PUBLIC SAFETY POLICY COMMITTEE

		1	2	3
2	Public Safety Realignment	Aa	Aa	A

Information pertaining to the Annual Conference Resolutions will also be posted on each committee's page on the League website: www.cacities.org. The entire Resolutions Packet will be posted at: www.cacities.org/resolutions.

KEY TO ACTIONS TAKEN ON RESOLUTIONS (Continued)

Resolutions have been grouped by policy committees to which they have been assigned.

KEY TO REVIEWING BODIES

1. Policy Committee
2. General Resolutions Committee
3. General Assembly

KEY TO ACTIONS TAKEN

- A Approve
- D Disapprove
- N No Action
- R Refer to appropriate policy committee for study

ACTION FOOTNOTES

- * Subject matter covered in another resolution
- ** Existing League policy
- *** Local authority presently exists
- a Amend+
- Aa Approve as amended+
- Aaa Approve with additional amendment(s)+
- Ra Refer as amended to appropriate policy committee for study+
- Raa Additional amendments and refer+
- Da Amend (for clarity or brevity) and Disapprove+
- Na Amend (for clarity or brevity) and take No Action+
- W Withdrawn by Sponsor

+Note: Petitioned Resolutions may not be amended by the General Resolutions Committee.

Resolutions that are approved by the General Resolutions Committee, as well as all qualified petitioned resolutions, are reported to the General Assembly. In addition, League policy provides the following procedure for resolutions approved by League policy committees but *not* approved by the General Resolutions Committee.

Every resolution initially recommended for approval and adoption by all the League policy committees to which the resolution is assigned, but subsequently recommended for disapproval, referral or no action by the General Resolutions Committee, shall then be placed on a consent agenda for consideration by the General Assembly. The consent agenda shall include a brief description of the basis for the recommendations by both the policy committee(s) and General Resolutions Committee, as well as the recommended action by each. Any voting delegate may make a motion to pull a resolution from the consent agenda in order to request the opportunity to fully debate the resolution. If, upon a majority vote of the General Assembly, the request for debate is approved, the General Assembly shall have the opportunity to debate and subsequently vote on the resolution.

APPROVED 2013 ANNUAL CONFERENCE RESOLUTIONS

1. RESOLUTION CALLING UPON THE GOVERNOR AND THE LEGISLATURE TO WORK WITH THE LEAGUE OF CALIFORNIA CITIES IN PROVIDING ADEQUATE FUNDING AND TO PRIORITIZE WATER BONDS TO ASSIST LOCAL GOVERNMENT IN WATER CONSERVATION, GROUND WATER RECHARGE AND REUSE OF STORMWATER AND URBAN RUNOFF PROGRAMS.

Source: Los Angeles County Division

Concurrence of five or more cities/city officials: Cities of Alhambra; Cerritos; Claremont; Glendora; Lakewood; La Mirada; La Verne; Norwalk; Signal Hill; Mary Ann Lutz, Mayor, city of Monrovia.

Referred to: Environmental Quality Policy Committee

WHEREAS, local governments play a critical role in providing water conservation, ground water recharge and reuse of stormwater infrastructure, including capture and reuse of stormwater for their citizens, businesses and institutions; and

WHEREAS, local governments support the goals of the Clean Water Act to ensure safe, clean water supply for all and the U.S. Environmental Protection Agency has encouraged local governments to implement programs to capture, infiltrate and treat stormwater and urban runoff with the use of low impact development ordinances, green street policies and programs to increase the local ground water supply through stormwater capture and infiltration programs; and

WHEREAS, local governments also support the State's water quality objectives, specifically Section 13241 of the Porter-Cologne Water Quality Control Act, on the need to maximize the use of reclaimed and water reuse and the Regional Water Quality Control Boards and the State Water Resources Board encourage rainwater capture efforts; and

WHEREAS, the State's actions working through the water boards, supported by substantial Federal, State and local investments, have led to a dramatic decrease in water pollution from wastewater treatment plants and other so-called "point sources" since 1972. However, the current threats to the State's water quality are far more difficult to solve, even as the demand for clean water increases from a growing population and an economically important agricultural industry; and

WHEREAS, the State's Little Hoover Commission found in 2009 that more than 30,000 stormwater discharges are subject to permits regulating large and small cities, counties, construction sites and industry. The Commission found that a diverse group of water users – the military, small and large businesses, home builders and local governments and more – face enormous costs as they try to control and limit stormwater pollution. The Commission concluded that the costs of stormwater clean up are enormous and that the costs of stormwater pollution are greater, as beach closures impact the State's economy and environmental damage threatens to impair wildlife; and

WHEREAS, at the same time that new programs and projects to improve water quality are currently being required by the U.S. EPA and the State under the National Pollution Discharge Elimination System (NPDES) permits and the Total Daily Maximum Load (TMDL) programs, many local governments find that they lack the basic infrastructure to capture, infiltrate and reuse stormwater and cities are facing difficult economic challenges while Federal and State financial assistance has been reduced due to the impacts of the recession and slow economic recovery; and

WHEREAS, cities have seen their costs with the new NPDES permit requirements double and triple in size in the past year, with additional costs anticipated in future years. Additionally, many local businesses have grown increasingly concerned about the costs of retrofitting their properties to meet stormwater and runoff requirements required under the NPDES permits and TMDL programs; and

WHEREAS, the League of California Cities adopted water polices in March of 2012, recognizing that the development and operation of water supply, flood control and storm water management, among other water functions, is frequently beyond the capacity of local areas to finance and the League found that since most facilities have widespread benefits, it has become the tradition for Federal, State and local governments to share their costs (XIV, Financial Considerations); and the League supports legislation providing funding for stormwater and other water programs; and

WHEREAS, the Governor and the Legislature are currently contemplating projects for a water bond and a portion of the bond could be directed to assist local government in funding and implementing the goals of the Clean Water Act and the State's water objectives of conserving and reusing stormwater in order to improve the supply and reliability of water supply; and

NOW, THEREFORE, BE IT RESOLVED by the General Assembly of the League of California Cities, assembled in Sacramento on September 20, 2013, that the League calls for the Governor and the Legislature to work with the League and other stakeholders to address the League's adopted water policies, to provide adequate funding for water conservation, ground water recharge, capture and reuse of stormwater and runoff and compliance with the Clean Water Act stormwater requirements and watershed restoration in the water bond and to prioritize future water bonds to assist local governments in funding these programs. The League will work with its member cities to educate federal and state officials to the challenges facing local governments in providing for programs to capture, infiltrate and reuse stormwater and urban runoff.

//////////

2. A RESOLUTION OF THE LEAGUE OF CALIFORNIA CITIES CALLING UPON THE GOVERNOR AND LEGISLATURE TO ENTER INTO DISCUSSION WITH LEAGUE AND CALIFORNIA POLICE CHIEFS' ASSOCIATION REPRESENTATIVES TO IDENTIFY AND ENACT STRATEGIES THAT WILL ENSURE THE SUCCESS OF PUBLIC SAFETY REALIGNMENT FROM A LOCAL MUNICIPAL LAW ENFORCEMENT PERSPECTIVE.

Source: Public Safety Policy Committee

Concurrence of five or more cities/city officials: Cities of Arroyo Grande, Covina; Fontana; Glendora; Monrovia; Ontario; Pismo Beach; and Santa Barbara

Referred to: Public Safety Policy Committee

THE LEAGUE OF CALIFORNIA CITIES DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, in October 2011 the Governor proposed the realignment of public safety responsibilities from state prisons to local government as a way to address recent court orders in response to litigation related to state prison overcrowding, and to reduce state expenditures; and

WHEREAS, the Governor stated that realignment needed to be fully funded with a constitutionally protected source of funds if it were to succeed; and

WHEREAS, the Legislature enacted the realignment measures, AB 109 and AB 117, and the Governor signed them into law without full constitutionally protected funding and liability protection for stakeholders; and

WHEREAS, California currently has insufficient jail space, probation officers, housing and job placement programs, medical and mental health facilities, lacks a uniform definition of recidivism; and utilizes inappropriate convictions used to determine inmate eligibility for participation in the realignment program; and

WHEREAS, since the implementation of realignment there have been numerous issues identified that have not been properly addressed that significantly impact municipal police departments' efforts to successfully implement realignment; and

WHEREAS, ultimately many of these probationers who have severe mental illness are released into communities where they continue to commit crimes that impact the safety of community members and drain the resources of probation departments and police departments throughout the state; and

WHEREAS, an estimated 30 counties were operating under court-ordered or self-imposed population caps before realignment, and the current lack of bed space in county jails has since led to many convicted probationers being released early after serving a fraction of their time; with inadequate to no subsequent supervision, leaving them free to engage in further criminal offenses in our local cities; and

WHEREAS, there is increasing knowledge among the offender population which offenses will and will not result in a sentence to state prison, and many offenders, if held in custody pending trial, that would be sentenced to county jail are ultimately sentenced to time served due to overcrowding in county facilities; and

WHEREAS, there are inadequate data bases allowing local police departments to share critical offender information among themselves, with county probation departments, and with other county and state law enforcement entities; and

WHEREAS, local police departments have not received adequate funding to properly address this new population of offenders who are victimizing California communities; and

NOW, THEREFORE, BE IT RESOLVED by the General Assembly of the League of California Cities, assembled in Sacramento on September 20, 2013, to request the Governor and State Legislature to immediately enter into discussions with League representatives and the California Police Chiefs' Association to address the following issues:

1. The need to fully fund municipal police departments, including those under contract with a county sheriff's department, with constitutionally protected funding to appropriately address realignment issues facing front line law enforcement. This funding would not diminish current revenue streams flowing to counties for this purpose, and would augment the ability of local law enforcement in general to monitor offenders. Since county realignment funding would not be affected, contract cities who have law enforcement services provided to them by county agencies would not suffer any reduction in service;
2. Amend appropriate sections of AB 109 to change the criteria justifying the release of non-violent, non-serious, non-sex offender inmates (N3) inmates to include their total criminal and mental health history instead of only their last criminal conviction;
3. Establish a uniform definition of recidivism with the input of all criminal justice stakeholders throughout the state;
4. Enact legislation that will provide local law enforcement the option for city police officers assigned to make compliance checks on AB 109 offenders to independently authorize flash incarceration for offenders on post-release community supervision. Flash incarceration shall be for up to 96 hours in Type I municipal jails, as specified by AB 986 (Bradford), or for up to 10 days in Type II county jails.
5. Establish oversight procedures to encourage transparency and accountability over the use of realignment funding;
6. Implement the recommendations identified in the California Little Hoover Commission Report #216 dated May 30, 2013;
7. Provide for greater representation of city officials on the local Community Corrections Partnerships. Currently AB 117 provides for only one city official (a police chief) on the 7-member body, 6 of which are aligned with the county in which the partnership has been established. As a result, the counties dominate the committees and the subsequent distribution of realignment funds.
8. Provide, either administratively or by legislation, an effective statewide data sharing mechanism allowing state and local law enforcement agencies to rapidly and efficiently share offender information to assist in tracking and monitoring the activities of AB 109 and other offenders.

APPROVED 2012 ANNUAL CONFERENCE RESOLUTIONS IMPLEMENTATION REPORT

No.	Title	Required Action	Status
1.	Call upon the Governor and Legislature to Enact Legislation that Would Correct Inefficiencies in the Audit System, Distribution System, and Inequities in the formulas for Distributing Court Ordered Arrest and Citation Fines, Fees and Assessments Generated by Local Government	<p>The League will call upon the State Legislature and Governor to:</p> <ol style="list-style-type: none"> 1. Create an efficient system to provide cities with clear authority to audit the distribution of fines, fees, assessments and administrative costs for criminal and traffic violations; 2. Enact Legislation that changes the "Priority Distribution" mandate so cities receive the total cost of issuing, processing and testifying in court on criminal cases and traffic violations; and 3. Equally distribute from the total fine imposed, not just from the city base fine, any reduction in fines, fees, assessments or costs. 	<p>The League has initiated a dialogue with the Judicial Council on the issue of inconsistent application of fines and fees, and discrepancies in regard to waivers and reductions of fines associated with traffic citations by trial courts.</p> <p>The Judicial Council has asserted that its Administrative Office of the Courts has provided regional training regarding its Uniform Bail and Penalty Schedule earlier this year. Further discussions are pending (October 2013) to pinpoint whether the policy on waiving or reducing fines without waiving penalties has been misunderstood by locals.</p>
2.	Raising Public Awareness and Supporting Tougher Laws Related to Internet Crimes Against Children	<p>The League will:</p> <ol style="list-style-type: none"> 1. Desire to increase public awareness and educate others about the critical issue of internet crimes against children statewide; 2. Advocate for the State Legislature to adopt tougher laws for child pornographers that use the internet or online tools in the commission of their crime; and 3. Advocate for additional and more permanent funding for Internet Crimes Against Children Task forces (ICAC) statewide. 	<p>The League provided research, helped draft language and then supported related legislation [AB 20 (Waldron), Chapter 143, Statutes of 2013] that arose from this League-sponsored resolution. AB 20 creates an additional fine of up to \$2,000 to be levied against offenders convicted of committing specified child pornography offenses involving the use of a government-owned computer or computer network to view prohibited obscene material.</p>
5.	Calling for the Promotion of Disaster Resilient California Cities	<p>The League will encourage cities to:</p> <ol style="list-style-type: none"> 1. Develop and implement employee and resident emergency preparedness plans; and 2. Promote emergency family plans that emphasize self-reliance for food and water supplies. 	<p>The League supported related federal legislation, H.R. 1859 by Representative Schiff, the Disaster Declaration Improvement Act, which sought to alter the dollar-per-capita criteria in assessing disaster-related damages and qualifying for disaster relief. This criteria disadvantages heavily populated states such as California.</p>

California State Senate

CITY CLERK'S OFFICE

ALEX PADILLA
SENATOR, 20TH DISTRICT

OCT 09 2013

RECEIVED



October 1, 2013

City of Lemoore
Attn: City Council
119 Fox St
Lemoore, CA 93245-2651

Dear Colleague,

I respectfully ask for your support of Senate Bill 405 which would phase out single-use plastic bags in California.

Each year in California, more than 13 billion single-use plastic bags are handed out by retailers. CalRecycle reports that only 3% of single-use plastic bags are actually recycled. The other 97% litter our streams, rivers and coastline, and endanger birds, marine life and wildlife. Plastic bags remain one of the top items found during annual beach cleanups.

Plastic bags also contribute to blight in our communities and clog local storm water systems. Because plastic bags take 1,000 years to degrade, their impacts are compounded every year. California local governments spend more than \$25 million each year to collect and bury plastic bag waste. And the plastic bags that do enter our recycling centers slow the sorting process and jam machinery.

Earlier this year, I introduced SB 405. This bill would enact a statewide phase out of single-use plastic bags in California. This legislation is supported by a broad coalition that includes grocers, environmentalists and many local governments.

Despite strong support, SB 405 fell 3 votes short of passage this year. I remain committed to this effort, but I need your help. SB 405 will face another vote early next year. Between now and then, I am respectfully asking you to put your city on record in support of SB 405. The City of Los Angeles took this step in June of this year and joined 80 other California cities and counties who support the phase out of single-use plastic bags in their communities.

Please join me in this effort. Attached, please find a sample resolution in support of SB 405, a copy of the bill, and a fact sheet with additional information. I look forward to working with you so that single-use plastic bags are soon phased out in our state.

Thank you for your time and consideration. Please feel free to contact me at (916) 651-4020 if you have any questions or need additional information.

Sincerely,

A handwritten signature in cursive script that reads "Alex Padilla".

ALEX PADILLA
State Senator, 20th District



RESOLUTION

WHEREAS, each year in California more than 13 billion single-use plastic bags are handed out by retailers and only 3% of these bags are recycled; and

WHEREAS, plastic bags cause slow sorting and jam machinery at recycling centers costing California more than \$25 million dollars each year to collect and bury the plastic bag waste; and

WHEREAS, according to a study commissioned by the US Marine Debris Monitoring Program, plastic bags remain one of the top items found consistently during annual beach cleanups; and

WHEREAS, The Convention on Biological Diversity reports a total of 663 species have been affected by plastic marine pollution through entanglement or ingestion; and

WHEREAS, the United States Environmental Protection Agency finds that reducing the use of an item is one of the most effective ways to save our natural resources and protect the environment; and

WHEREAS, a third of Californians are subject to laws phasing out the use of single-use plastic bags; and

WHEREAS, State Senator Padilla has authored SB 405, which would prohibit grocery stores and large retailers from providing single-use bags to customers in 2015, and would expand that prohibition to convenience stores and food marts in 2016; and

WHEREAS, by prohibiting the free distribution of plastic bags, SB 405 would help eliminate a major source of pollution in California; and

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the _____ hereby SUPPORTS Senate Bill 405 (Padilla) that would prohibit grocery stores, large retailers, convenience stores, and food marts from providing free single-use plastic bags to consumers, and require those stores to have reusable bags available for purchase.

PRESENTED BY _____

SECONDED BY _____

Green Vets Los Angeles
GreenWaste Recovery
Heal the Bay
Humboldt County Board of Supervisors
Humboldt Waste Management Authority
LMV Productions
Los Angeles County Board of Supervisors
Los Angeles County Integrated Waste
Management Task Force
Napa Valley CanDo Environment Group
National Hispanic Environmental Council
Natural Resources Defense Council
Pacifica's Environmental Family
Planning and Conservation League
Plasticbaglaws.org
Republic Services
Santa Clara County Board of Supervisors
Save Our Shores
Seventh Generation Advisors
Sierra Club California
Surfrider Foundation
Team Marine – Santa Monica High School
The Northern California Recycling Association
Turtle Island Restoration Network
United Food & Commercial Workers Western
States Council
William C. Velazquez Institute
Zanker Road Resource Management

Senator Alex Padilla

Fact Sheet

SB 405 – PADILLA

Single-Use Bag Phase Out

(as amended 05/24/13)

Summary

SB 405 would phase out single-use plastic bags in California grocery stores, convenience stores, liquor stores, and pharmacies.

Background

Each year in California, more than 13 billion single-use plastic bags are handed out by retailers. According to the United States Environmental Protection Agency, 88% of plastic bags and sacks are not recycled. In California, only 3% are recycled, according to CalRecycle. Plastic bags cause litter, slow sorting and jam machinery at recycling centers costing California more than \$25 million dollars each year to collect and bury the plastic bag waste. According to a study commissioned by the US Marine Debris Monitoring Program, plastic bags remain one of the top items found consistently during annual beach cleanups.

Plastic bags are also harmful to the environment killing thousands of birds, turtles and other species. Most plastics do not degrade. Although they represent only 2.2% of waste stream in California, plastic waste is the predominate form of marine debris. Plastics are estimated to compose 60-80% of all marine debris and 90% of all floating debris worldwide.

Plastics not only entangle marine life, they are also ingested by marine life and birds. Most plastic marine debris exists as small plastic particles due to excessive UV radiation exposure and subsequent photo-degradation. The Convention on Biological Diversity reports a total of 663 species have been affected by plastic marine pollution through entanglement or ingestion.

The California Coastal Commission reports that “birds, fish and mammals often mistake plastic for food. Some birds even feed it to their young. With plastic filling their stomachs, animals have a false feeling of being full, and may die of starvation. Sea turtles mistake plastic bags for jellyfish, one of their favorite foods. Even grey whales have been found dead with plastic bags and sheeting in their stomachs.”

The Scripps Institution of Oceanography at UC San Diego found evidence of plastic waste in more than 9% of the stomachs of fish collected in the North Pacific Subtropical Gyre and estimate that fish who reside in the intermediate ocean depths ingest 12,000- to 24,000 tons of plastic per year.

According to the United States Environmental Protection Agency, reducing the use of an item is one of the most effective ways to save our natural resources and protect the environment. To date, many local jurisdictions in California have enacted ordinances. The ordinances vary with some requiring a charge for paper carry-out bags and others banning both single-use plastic and paper

carryout bags. These ordinances have both eliminated the costs associated with plastic bags as well as substantially reduced the volume and costs associated with paper bags in communities.

For example, San Francisco, Los Angeles County, San Jose, and San Luis Obispo County are already experiencing the benefits of reducing the use of plastic bags. After just one year of implementation of its bag ordinance, the City of San Jose is reporting 50% cleaner creeks. Los Angeles County is reporting a 95% reduction of all single-use bags distributed, including a 30% reduction of paper bags.

Existing Law

Section 42254 and 42257 of the Public Resources Code requires large grocery stores to establish a plastic bag recycling program and sunsets on January 1, 2020.

Current California law is silent on the reduction of single-use plastic bags.

This Bill

This bill would:

- prohibit a store, on and after January 1, 2015, from providing a *single-use carryout bag* (i.e., paper, plastic, or other material) to a customer at the point-of-sale. (§42283(a))
 - authorize a store, on and after July 1, 2016, to provide a *reusable grocery bag* (i.e., cloth or durable plastic) to a customer, which may be made available for purchase. (§42283(c)(1)).
 - authorize a store to make a *recyclable paper bag* available for purchase at the point of sale. (§42283(d)).
 - specifies standards for reusable grocery bags. (§42281)
- allows ordinances adopted prior to September 1, 2013 to continue to be enforced. (§42287 (b)).
 - prohibits any local agency from enforcing an ordinance related to single-use carryout bags after January 1, 2014. (§42287 (b))
 - allows local agencies to only amend the cost associated with the recyclable paper bag for existing ordinances (§42287 (c))
 - authorizes the California Department of Resources, Recycling, and Recovery to inspect and audit a reusable bag producer. (§42282 (a)).

Support

5 Gyres Institute
Azul
BagIt
Board of Supervisers
California Coastkeeper Alliance
California Coastal Coalition
California Resource Recovery Association
California State Lands Commission
Californians Against Waste
Central Contra Costa County Solid Waste Authority
City of El Cerrito
City of Long Beach
City of Palo Alto
City of Sacramento
City and County of San Francisco
City of Sunnyvale
City of San Francisco
Clean Water Action
Clean Water California
Contra Costa Clean Water Program
County of Los Angeles
County of San Mateo
Environment California
Greater San Fernando Valley Chamber of Commerce
Green Sangha

AMENDED IN SENATE MAY 24, 2013

AMENDED IN SENATE APRIL 2, 2013

SENATE BILL

No. 405

Introduced by Senator Padilla
(Coauthor: Senator Leno)

February 20, 2013

An act to add Chapter 5.3 (commencing with Section 42280) to Part 3 of Division 30 of, and to repeal Section 42285 of, the Public Resources Code, relating to solid waste.

LEGISLATIVE COUNSEL'S DIGEST

SB 405, as amended, Padilla. Solid waste: single-use carryout bags. Existing law, until January 1, 2020, requires an operator of a store, as defined, to establish an at-store recycling program that provides to customers the opportunity to return clean plastic carryout bags to that store.

With specified exceptions, this bill, as of January 1, 2015, would prohibit stores that have a specified amount of dollar sales or retail floor space from providing a single-use carryout bag to a customer. *The bill, on and after July 1, 2016, would additionally impose this prohibition on convenience food stores, foodmarts, and certain other specified stores.* The bill would require *all of* these stores to meet other specified requirements regarding providing recycled paper bags, compostable bags, or reusable grocery bags to customers.

~~The bill, on and after July 1, 2016, would additionally impose these prohibitions and requirements on convenience food stores, foodmarts, and certain other specified stores.~~

The bill would require a reusable grocery bag that a store is required to sell on and after July 1, 2016, to meet specified requirements. A

violation of that requirement and the requirements that would be imposed upon grocery bag producers to submit certain laboratory test results would be subject to an administrative civil penalty assessed by the Department of Resources Recycling and Recovery. The department would be required to deposit these penalties into the Reusable Bag Account, which would be created in the Integrated Waste Management Fund, for expenditure by the department, upon appropriation by the Legislature, to implement those requirements.

The bill would require the department, by January 1, 2017, to submit a report to the Legislature regarding the implementation of the bill's provisions. The bill would repeal this report requirement on January 1, 2018.

The bill would allow a city, county, or city and county, or the state to impose civil penalties for a violation of the bill's requirements. The bill would require these civil penalties to be paid to the office of the city attorney, city prosecutor, district attorney, or Attorney General, whichever office brought the action, and would allow the penalties collected by the Attorney General to be expended by the Attorney General, upon appropriation by the Legislature, to enforce the bill's provisions. The bill would provide that these remedies are not exclusive, as specified.

The bill would declare that it occupies the whole field of the regulation of reusable grocery bags, single-use carryout bags, and recycled paper bags and would prohibit a local public agency, on and after January 1, 2014, from enforcing or implementing an ordinance, resolution, regulation, or rule adopted on or after September 1, 2013, relating to those bags, unless expressly authorized. The bill would allow a local public agency that has adopted such an ordinance, resolution, regulation, or rule prior to September 1, 2013, to continue to enforce and implement that ordinance, resolution, regulation, or rule, but would require any amendments to that ordinance, resolution, regulation, or rule to be subject to state preemption.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Chapter 5.3 (commencing with Section 42280)
- 2 is added to Part 3 of Division 30 of the Public Resources Code, to
- 3 read:

CHAPTER 5.3. SINGLE-USE CARRYOUT BAGS

Article 1. Definitions

42280. For purposes of this chapter, the following definitions shall apply:

(a) "Department" means the Department of Resources Recycling and Recovery.

(b) "Postconsumer recycled material" means a material that would otherwise be destined for solid waste disposal, having completed its intended end use and product life cycle. Postconsumer recycled material does not include materials and byproducts generated from, and commonly reused within, an original manufacturing and fabrication process.

(c) "Recycled paper bag" means a paper carryout bag provided by a store to a customer at the point of sale that meets all of the following requirements:

(1) (A) Except as provided in subparagraph (B), contains a minimum of 40 percent postconsumer recycled materials.

(B) An eight pound or smaller recycled paper bag shall contain a minimum of 20 percent postconsumer recycled material.

(2) Is accepted for recycling in curbside programs in a majority of households that have access to curbside recycling programs in the state.

(3) Has printed on the bag the name of the manufacturer, the country where the bag was manufactured, and the minimum percentage of postconsumer content.

(d) "Reusable grocery bag" on and after July 1, 2016, means a bag that meets the requirements of Section 42281.

(e) "Reusable grocery bag producer" means a person or entity that does any of the following:

(1) Manufactures reusable grocery bags for sale or distribution to a store.

(2) Imports reusable grocery bags into this state, for sale or distribution to a store.

(3) Sells or distributes reusable bags to a store.

(f) (1) "Single-use carryout bag" means a bag made of plastic, paper, or other material that is provided by a store to a customer at the point of sale and that is not a recycled paper bag or a reusable grocery bag that meets the requirements of Section 42281.

1 (2) A single-use carryout bag does not include either of the
2 following:

3 (A) A bag provided by a pharmacy pursuant to Chapter 9
4 (commencing with Section 4000) of Division 2 of the Business
5 and Professions Code to a customer purchasing a prescription
6 medication.

7 (B) A nonhandled bag used to protect a purchased item from
8 damaging or contaminating other purchased items when placed in
9 a recycled paper bag or reusable grocery bag.

10 (g) "Store" means a retail establishment that meets any of the
11 following requirements:

12 (1) A full-line, self-service retail store with gross annual sales
13 of two million dollars (\$2,000,000) or more, and that sells a line
14 of dry groceries, canned goods, or nonfood items, and some
15 perishable items.

16 (2) Has at least 10,000 square feet of retail space that generates
17 sales or use tax pursuant to the Bradley-Burns Uniform Local Sales
18 and Use Tax Law (Part 1.5 (commencing with Section 7200) of
19 Division 2 of the Revenue and Taxation Code) and has a pharmacy
20 licensed pursuant to Chapter 9 (commencing with Section 4000)
21 of Division 2 of the Business and Professions Code.

22 (3) Is a convenience food store, foodmart, or other entity that
23 is engaged in the retail sale of a limited line of goods, generally
24 including milk, bread, soda, and snack foods, and that holds a Type
25 20 or Type 21 license issued by the Department of Alcoholic
26 Beverage Control.

27

28 Article 2. Reusable Grocery Bags

29

30 42281. (a) On and after July 1, 2016, a reusable grocery bag
31 that is sold pursuant to subdivision (c) of Section ~~42282~~ 42283
32 shall meet all of the following requirements:

33 (1) (A) Be designed and manufactured to withstand, at a
34 minimum, 125 uses.

35 (B) For purposes of this paragraph, "125 uses" means the
36 capability of carrying a minimum of 22 pounds 125 times over a
37 distance of at least 175 feet.

38 (2) Is machine washable or made from a material that can be
39 cleaned and disinfected.

1 (3) Have printed on the bag, or on a tag attached to the bag that
2 is not intended to be removed, and in a manner visible to the
3 consumer the following information:

4 (A) The name of the manufacturer.

5 (B) The country where the bag was manufactured.

6 (C) A recycling symbol or end-of-life management instructions.

7 (D) The percentage of postconsumer recycled material, if any.

8 (4) Does not contain lead, cadmium, or any other heavy metal
9 in toxic amounts. This requirement shall not affect any authority
10 of the Department of Toxic Substances Control pursuant to Article
11 14 (commencing with Section 25251) of Chapter 6.5 of Division
12 20 of the Health and Safety Code and, notwithstanding subdivision
13 (c) of Section 25257.1 of the Health and Safety Code, the reusable
14 grocery bag shall not be considered as a product category already
15 regulated or subject to regulation.

16 (5) Complies with Section 260.12 of Part 260 of Title 16 of the
17 Code of Federal Regulations related to recyclable claims if the
18 reusable grocery bag producer makes a claim that the reusable
19 grocery bag is ~~recyclable~~ *recyclable*.

20 (b) In addition to the requirements in subdivision (a), a reusable
21 grocery bag made from plastic shall meet all of the following
22 requirements:

23 (1) On and after July 1, 2017, be made from a minimum of 20
24 percent postconsumer recycled material, except as provided in
25 subdivision (d).

26 (2) In addition to the information required to be printed on the
27 bag or on a tag, pursuant to paragraph (3) of subdivision (a), all
28 of the following information shall be printed on the bag, or on a
29 tag that complies with that paragraph:

30 (A) A statement that the bag is a reusable bag and designed for
31 at least 125 uses.

32 (B) Instructions to return the bag to the store for recycling or
33 to another appropriate recycling location.

34 (c) A plastic reusable grocery bag that also meets the
35 specifications of the American Society of Testing and Materials
36 (ASTM) Standard Specification for Compostable Plastics D6400,
37 as published in September 2004, is not required to meet the
38 requirements of paragraph (1) of subdivision (b), but shall be
39 labeled in accordance with the applicable state law regarding
40 compostable plastics.

1 (d) If a plastic reusable grocery bag producer is unable to obtain
2 sufficient amounts of postconsumer recycled material to comply
3 with this article because of unavailability, the producer shall
4 include the greatest amount of postconsumer recycled material
5 possible in the reusable grocery bag even if this amount is less
6 than required by paragraph (1) of subdivision (b) and shall indicate
7 the percentage that is postconsumer recycled material.

8 42282. (a) The department may inspect and audit a reusable
9 grocery bag producer subject to this article with all costs associated
10 with the audit being paid for by the reusable grocery bag producer.

11 (b) Upon request by the department, a reusable grocery bag
12 producer shall submit laboratory test results from independent,
13 accredited (ISO/IEC 17025) laboratories to the department
14 validating the reusable grocery bag meets the requirements of
15 Section 44281 for each type of reusable grocery bag that is
16 manufactured, imported, sold, or distributed in the state and
17 provided to a store for sale or distribution.

18 (c) The department may test any reusable grocery bag
19 manufactured by a reusable grocery bag producer and provided to
20 a store for sale or distribution for compliance with this article and
21 the regulations adopted pursuant to this article.

22 (d) The department may enter into an agreement with other state
23 entities that conduct inspections to provide necessary enforcement
24 of this article.

25 (e) Notwithstanding Section 42285, a violation of this article
26 shall be subject to an administrative civil penalty assessed by the
27 department in an amount not to exceed five hundred dollars (\$500)
28 for the first violation. A subsequent violation may be subject to
29 an increased penalty of up to five hundred dollars (\$500) per
30 violation, not to exceed five thousand dollars (\$5,000) per violation.

31 (f) The department shall deposit all penalties collected pursuant
32 to subdivision ~~(d)~~ (e) for a violation of this article into the Reusable
33 Bag Account, which is hereby created in the Integrated Waste
34 Management Fund. The moneys in the Reusable Bag Account
35 shall be expended by the department, upon appropriation by the
36 Legislature, to assist the department with its costs of implementing
37 this article.

Article 3. Single-Use Carryout Bags

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42283. (a) On and after January 1, 2015, a store, as defined in paragraph (1) or (2) of subdivision (g) of Section 42280, shall not provide a single-use carryout bag to a customer at the point of sale.

(b) On and after July 1, 2016, a store, as defined in paragraph (3) of subdivision (g) of Section 42280, shall not provide a single-use carryout bag to a customer at the point of sale.

(c) (1) On and after July 1, 2016, a store shall make available for purchase by a customer reusable grocery bags that meet the requirements of Section 42281.

(2) On and after July 1, 2016, a store shall not sell or distribute a reusable bag at the point of sale that does not meet the requirements of Section 42281.

(d) A store may make available for purchase at the point of sale a recycled paper bag.

(e) Notwithstanding any other law, on and after January 1, 2015, a store shall provide a customer participating in the California Special Supplemental Food Program for Women, Infants, and Children pursuant to Article 2 (commencing with Section 123275) of Chapter 1 of Part 2 of Division 106 of the Health and Safety Code and a customer participating in the Supplemental Food Program pursuant to Chapter 10 (commencing with Section 15500) of Part 3 of Division 9 of the Welfare and Institutions Code with a reusable grocery bag or a recycled paper bag at no cost at the point of sale.

(f) Notwithstanding subdivisions (a) and (b), a store may make available for purchase at the point of sale a compostable bag that, at a minimum, meets the American Society for Testing and Materials (ASTM) Standard Specification for Compostable Plastics D6400, if, in the jurisdiction where the compostable bag is sold, both of the following requirements are met:

(1) A majority of the residential households in the jurisdiction have access to curbside collection of foodwaste for composting.

(2) The governing authority for the jurisdiction has voted to allow stores in the jurisdiction to sell to a consumer at the point of sale a compostable bag at a cost not less than the actual cost of the bags.

1 Article 4. Reporting Requirements

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3 ~~42284. (a) On or before January 1, 2017, the department shall~~
4 ~~submit a report to the Legislature in accordance with Section 9795~~
5 ~~of the Government Code regarding the effectiveness of this chapter~~
6 ~~and recommendations for statutory changes to increase~~
7 ~~effectiveness, which shall include all of the following:~~

8 ~~(1) A compilation of state cleanup data to evaluate pollution~~
9 ~~reduction.~~

10 ~~(2) Recommendations to further encourage the use of reusable~~
11 ~~grocery bags by customers and stores.~~

12 ~~(3) An evaluation of the requirements for reusable grocery bags~~
13 ~~specified in Section 42281.~~

14 ~~(4) Distribution of recycled paper bags.~~

15 ~~(5) Number and type of violations.~~

16 ~~(b) The department shall coordinate with other state and local~~
17 ~~agencies in compiling this report to maximize existing efforts and~~
18 ~~resources in the areas of litter reduction, water quality, and~~
19 ~~environmental protection.~~

20 ~~(c) Pursuant to Section 110231.5 of the Government Code, this~~
21 ~~section is repealed on January 1, 2018.~~

22
23 Article 5. Enforcement

24
25 Article 4. Enforcement

26
27 42285. (a) A city, a county, a city and county, or the state may
28 impose civil liability in the amount of five hundred dollars (\$500)
29 for the first violation of this chapter, one thousand dollars (\$1,000)
30 for the second violation, and two thousand dollars (\$2,000) for the
31 third and subsequent violations.

32 (b) Any civil penalties collected pursuant to subdivision (a)
33 shall be paid to the office of the city attorney, city prosecutor,
34 district attorney, or Attorney General, whichever office brought
35 the action. The penalties collected pursuant to this section by the
36 Attorney General may be expended by the Attorney General, upon
37 appropriation by the Legislature, to enforce this chapter.

38 (c) The remedies provided by this section shall not be exclusive
39 and shall be in addition to the remedies that may be available

1 pursuant to Chapter 5 (commencing with Section 17200) of Part
2 of Division 7 of the Business and Professions Code.

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Article 5. Preemption

6 42287. (a) Except as provided in subdivision (c), this chapter
7 is a matter of statewide interest and concern and is applicable
8 uniformly throughout the state. Accordingly, this chapter occupies
9 the whole field of regulation of reusable grocery bags, single-use
10 carryout bags, and recycled paper bags, as defined in this chapter.

11 (b) On and after January 1, 2014, a city, county, or other local
12 public agency shall not enforce against a store, as defined in
13 subdivision (g) of Section 42280, or otherwise implement, an
14 ordinance, resolution, regulation, or rule adopted on or after
15 September 1, 2013, relating to reusable grocery bags, single-use
16 carryout bags, or recycled paper bags, as defined in this chapter,
17 unless expressly authorized by this chapter.

18 (c) A city, county, or other local public agency that has adopted,
19 prior to September 1, 2013, an ordinance, resolution, regulation,
20 or rule relating to reusable grocery bags, single-use carryout bags,
21 or recycled paper bags may continue to enforce and implement
22 that ordinance, resolution, regulation, or rule that was in effect
23 before that date. Any amendments to that ordinance, resolution,
24 regulation, or rule on or after January 1, 2014, shall be subject
25 to subdivision (b), except a city, county, or other local public
26 agency may amend that ordinance, resolution, regulation, or rule
27 with regard to the amount that a store shall charge with regard
28 to a recycled paper bag.

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