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COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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IN REPLY PLEASE
REFER TO FILE

May 14, 2024

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

5 May 14, 2024

JEFF LEVINSON
INTERIM EXECUTIVE OFFICER

PUBLIC HEARING ENVIRONMENTAL SERVICES CORE SERVICE AREA ANNUAL SOLID WASTE GENERATION SERVICE CHARGE REPORT FISCAL YEAR 2024-25 (ALL SUPERVISORIAL DISTRICTS) (3 VOTES)

SUBJECT

Public Works is seeking Board approval of the annual Solid Waste Generation Service Charge Report, Fiscal Year 2024-25 to provide for the continued collection of the existing Solid Waste Generation Service Charge at the current rate.

IT IS RECOMMENDED THAT THE BOARD:

1. Find that the adoption of the annual Solid Waste Generation Service Charge Report, Fiscal Year 2024-25, is exempt from the California Environmental Quality Act, for the reasons stated in this board letter.
2. Consider all objections and protests against the proposed annual Solid Waste Generation Service Charge Report, Fiscal Year 2024-25.
3. If no majority protest against the annual Solid Waste Generation Service Charge Report, Fiscal Year 2024-25 exists:
 - a. Adopt the annual Solid Waste Generation Service Charge Report, Fiscal Year 2024-25.

- b. Upon its adoption, instruct the Director of Public Works to file with the Auditor-Controller before August 10, 2024, a copy of the annual Solid Waste Generation Service Charge Report, Fiscal Year 2024-25.
- c. Instruct the Auditor-Controller, upon receipt of the adopted annual Solid Waste Generation Service Charge Report, Fiscal Year 2024-25 from the Director of Public Works, to enter the amounts of the charges against the respective lots or parcels of land as they appear on the current assessment roll.
4. If a majority written protest against the proposed annual Solid Waste Generation Service Charge Report, Fiscal Year 2024-25 exists, refer the item back to Public Works. If the annual Solid Waste Generation Service Charge Report, Fiscal Year 2024-25 is not adopted, the solid waste generation service charge shall be collected separately from the annual property taxes and shall not constitute a lien against any parcel or parcels of land.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended action is to adopt the enclosed annual Solid Waste Generation Service Charge Report that will provide for the continued collection of the current service charge of \$3.51 in the County unincorporated areas for Fiscal Year (FY) 2024-25 on the property tax roll. The service charge is applied to each parcel of real property and is collected through the property tax roll. The collection of the annual service charge on the property tax roll remains the most cost-effective mechanism to bill and account for these charges.

The revenues generated from the service charge are used to fund the preparation, adoption, and administration of the Los Angeles County Household Hazardous Waste Element; and the preparation, adoption, and implementation of Los Angeles County's Source Reduction and Recycling Element, including State reporting; and the implementation of residential recycling, business recycling, and public education outreach. These State-mandated activities for waste reduction are required by the California Public Resources Code, Section 40000 et seq.

Implementation of Strategic Plan Goals

These recommendations support the County Strategic Plan: Strategy II.3, Make Environmental Sustainability our Daily Reality, and Objective II.3.4, Reduce Waste Generation and Recycle and Reuse Waste Resources. The recommended action will provide funding necessary for the continued administration, planning, and implementation of waste reduction and recycling activities and programs in the County unincorporated areas.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund. Adoption of the enclosed report will provide for the continued collection of the existing annual Service Charge on the property tax roll in Fiscal Year 2024-25. The projected revenue amount to be collected is \$1,216,000 and is included in the Solid Waste Management Fund (GD1) FY 2024-25 Budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

In September 1991, the Board adopted an ordinance establishing the annual service charge as authorized by California Public Resources Code Sections 41901 and 41902.

An annual service charge is imposed upon each parcel of real property within the County unincorporated areas based on the number of Solid Waste Generation units assigned to that parcel. The number of units is a function of the current land use of the parcel and varies from zero for a vacant parcel to 50 for auditoriums and amusement facilities. The annual service charge per Solid Waste Generation unit is currently \$3.51 and will remain unchanged for Fiscal Year 2024-25. Based on this formula, the annual service charge for a single-family residence is \$3.51. Revenues generated are used to implement required activities and programs to achieve State waste reduction mandates.

Pursuant to Section 5473 of the California Health and Safety Code, the enclosed Annual Solid Waste Generation Service Charge Report, FY 2024-25, has been prepared and filed with the Executive Officer of the Board of Supervisors. Section 5473 also provides that any adopted ordinance authorizing the collection of service charges on the property tax roll shall remain in effect until repealed or until changes have been made in the rates. The report contains a description of each parcel receiving such services and the amount of the charge for each parcel for the year, computed in conformity with the charges prescribed by ordinance.

Section 5473.1 of the California Health and Safety Code requires that notice of the filing of this report and of a time and place of hearing thereon be published once a week for two successive weeks in a newspaper of general circulation pursuant to Section 6066 of the Government Code.

Section 5473.2 of the California Health and Safety Code also requires the Board to hear and consider all protests to the report. If the Board finds that protests to the report are made by the owners of a majority of parcels described in the report, the report shall not be adopted; and the matter shall be returned to Public Works.

ENVIRONMENTAL DOCUMENTATION

Adoption of the Annual Solid Waste Generation Service Charge Report, FY 2024-25, to provide for the collection of the annual Service Charge on the property tax roll is for the purpose of meeting operating expenses and, therefore, is exempt from the California Environmental Quality Act pursuant to Section 21080(b)(8) of the California Public Resources Code.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The collection of the annual Service Charge on the property tax roll will provide funds necessary for the County to comply with the State waste reduction mandates.

CONCLUSION

Please return two adopted copies of this letter and two reports to Public Works, Environmental Programs Division. In addition, please file a copy of the report with the Auditor-Controller on or before July 30, 2024.

The Honorable Board of Supervisors

5/14/2024

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark Pestrella".

MARK PESTRELLA, PE

Director

MP:EKT:ak

Enclosures

c: Auditor-Controller
Chief Executive Office (Chia-Ann Yen)
County Counsel
Executive Office

Annual Solid Waste Generation Service Charge Report

Enclosure 1

Fiscal Year 2024-25

Prepared By:

**Los Angeles County Public Works
Environmental Programs Division**

**LOS ANGELES COUNTY PUBLIC WORKS
ANNUAL SOLID WASTE GENERATION SERVICE CHARGE REPORT
FISCAL YEAR 2024-25**

INTRODUCTION

The California Health and Safety Code, Section 5470, et seq., requires that if existing Solid Waste Generation Service Charges (Service Charge) are to be continued and collected on the tax roll, a report shall be prepared each year and filed with the Executive Officer of the Board of Supervisors.

The Executive Officer shall file a copy of the report with the Auditor-Controller on or before August 10 of each year, with a statement that the report has been adopted by the Board of Supervisors, and the Auditor-Controller shall enter the amounts of the charges against the respective parcels of land as they appear on the current assessment roll. This report has been prepared to fulfill these requirements.

In 1989, the State of California passed the California Integrated Waste Management Act Assembly Bill (AB) 939. AB 939, as amended, mandates all jurisdictions, Statewide, prepare a series of documents detailing their waste management strategies to achieve 50 percent landfill diversion. AB 939 also allows the State to assess penalties up to \$10,000 per day on jurisdictions that do not comply with AB 939's mandates.

SOLID WASTE GENERATION SERVICE CHARGE

In 1991, as a result of the enactment of AB 939, the Board of Supervisors adopted Los Angeles County Ordinance No. 91-0119 implementing the Service Charge. This service charge funds the preparation, adoption, and administration of the Los Angeles County Household Hazardous Waste Element and the preparation, adoption, and implementation of the County's Source Reduction and Recycling Element of the Countywide Integrated Waste Management Plan, including State reporting and implementation of the County's Source Reduction and Recycling Element programs such as residential recycling, business recycling, and public education outreach.

The Service Charge Ordinance is codified in the Los Angeles County Code, Title 20, Division 4, Chapter 20.89 (Exhibit A). The annual charge levied on each parcel of real property in the unincorporated County area is computed by multiplying the amount of the Service Charge (currently \$3.51) by the number of Solid Waste Generation units for the current land use as shown in Table A, Section 20.89.070, of the County Code.

The current annual charge of \$3.51 per Solid Waste Generation unit will remain the same for Fiscal Year 2024-25 and is projected to be \$1,216,000 based on Public Works' Budget/Fund Management Division's forecast.

IDENTIFICATION OF PARCELS TO BE CHARGED

All improved parcels of real property in the unincorporated areas of the County of Los Angeles are subject to this Service Charge. The Fiscal Year 2024-25 Tax Rate Areas for the affected parcels are listed in Exhibit B.

EXHIBIT A

Los Angeles County Code

Title 20

Division 4

Chapter 20.89

Chapter 20.89

SOLID WASTE GENERATION SERVICE CHARGE

20.89.010 Purpose of provisions. The purpose of this chapter is to establish and collect the Service Charge authorized by Sections 41901 and 41902 of the Public Resources Code in order to fund the reasonable and necessary costs incurred by the County of Los Angeles in the preparation, adoption, and administration of the Los Angeles County Household Hazardous Waste Element, and the preparation, adoption, and implementation of the Los Angeles County Source Reduction and Recycling Element of the Countywide Integrated Waste Management Plan prepared pursuant to Public Resources Code, Section 40000 et seq. The Service Charge will be levied upon each parcel of real property in the unincorporated area of the County of Los Angeles and will be collected directly by the County on the tax roll. The Service Charge will not be imposed upon or collected by any solid waste haulers providing solid waste collection for the County of Los Angeles. (Ord. 91-0119 Section 1 (part), 1991.)

20.89.020 Definitions.

A. "Parcel of real property" means a parcel of real property as shown on the latest secured tax rolls of the County of Los Angeles.

B. Solid waste means all putrescible and non-putrescible solid and semisolid wastes, including garbage, trash, refuse, paper, rubbish, ashes, industrial wastes, demolition and construction wastes, abandoned vehicles and parts thereof, discarded home and industrial appliances, manure, vegetable or animal solid and semisolid wastes, and other discarded solid and semisolid wastes. (Ord. 91-0119 Section 1 (part), 1991.)

20.89.030 Levy of annual service charge.

A. An annual Service Charge is levied upon each parcel of real property in the unincorporated territory of the County of Los Angeles for the services and facilities furnished by the County in connection with the preparation, adoption, and administration of the Los Angeles County Household Hazardous Waste Element, and the preparation, adoption, and implementation of the Los Angeles County Source Reduction and Recycling Element of the County Integrated Waste Management Plan.

B. The amount of the Service Charge for each parcel shall be computed by multiplying the solid waste generation unit charge by the number of solid waste generation units for current land use of the parcel as shown in Table A, set out at Section 20.89.070. The solid waste generation unit charge is \$3.51 per unit. (Ord. 91-0119 Section 1 (part), 1991.)

20.89.040 Collection of charges. The Service Charge shall be collected for each fiscal year on the tax roll in the same manner, by the same persons, and at the same time as, together with and separately from, the general taxes of the County of Los Angeles. (Ord. 91-0119 Section 1 (part), 1991.)

20.89.050 Deposit of collected moneys. The moneys collected under Section 20.89.040 shall be deposited in a separate special revenue fund entitled "Solid Waste Management Fund". (Ord. 91-0119 Section 1 (part), 1991.)

20.89.060 Refunds. In the event any Service Charge shall have been erroneously paid or overpaid pursuant to this chapter, it may be refunded. (Ord. 91-0119 Section 1 (part), 1991.)

20.89.070 Table A -- Solid waste generation units for designated land uses.

Table A
NUMBER OF SOLID WASTE GENERATION UNITS
FOR CURRENT LAND USES

Land Use	Number of Solid Waste Generation Units
Residential	
Vacant residential parcel	0.0
Single residential unit	1
Double, duplex, or two units	2
Three units (any combination)	3
Four units (any combination)	4
Five or more apartments	
4 stories or less per individual residential unit	1
5 stories or more per individual residential unit	1
Modular homes per individual residential unit	0.5
Mobile homes per residential unit	0.5
Rooming houses	2
Mobile home parks per individual residential unit	0.8
Commercial	
Vacant commercial property	0.0
Stores	3
Store combination	
Store and office	4
Store and residential	4
Department stores	20
Supermarkets	
12,000 square feet or more	18
6,000 through 11,999 square feet	4
Small food store	2
Shopping centers	
Neighborhood community	18
Regional	18
Office buildings	
Loft-type buildings	10
Office and residential combination	5
Hotels and motels	
Hotels -- Under 50 rooms	5
Hotels -- 50 rooms and over	10
Motels -- Under 50 units	5
Motels -- 50 units and over	10
Motel/hotel apartments	
-- Under 50 units	7
-- 50 units and over	14
Professional buildings	
Medical/dental buildings	5
Veterinary hospitals, clinics	5

Restaurants, cocktail lounges	
Restaurants, cocktail lounges, taverns	6
Fast food -- Walk-up	10
Fast food -- Auto-oriented	10
Wholesale and manufacturing outlets	2
Banks, savings and loans	2
Service shops	3
Service stations	
Full-service	3
Self-service	3
Station with car wash	3
Auto, recreation and construction equipment sales and service	
Auto service center (no gasoline)	3
Auto service shops	3
Used car sales	2
New car sales and service	3
Car wash	3
Car wash -- Self-service	3
Recreation equipment sales and service	3
Farm and construction equipment sales and service	3
Parking lots	1
Animal kennels	5
Nurseries or greenhouses	10
Miscellaneous commercial property	2
Industrial	
Vacant Industrial property	0.0
Light manufacturing	4
Heavy manufacturing	4
Warehousing, distribution, storage	5
Food processing plants	
Meat and poultry (slaughtering house)	6
Beverage	6
Other	6
Motion picture, radio and television industries	
Microwave relay towers	2
Studios	2
Transmission facilities	2
Lumberyards	2
Mineral processing	
Cement, rock and gravel plants	2
Petroleum refineries, chemical plants	2
Parking lots	1
Open storage	
Trucking companies, terminals	2
Contractor storage yards	2
Other open storage	2
Miscellaneous industrial property	2
Agricultural	
General uses	2
Dairies	2

Recreational		
Theaters		
Movie – Indoor	3	
Movie -- Drive-in	3	
Legitimate theater	3	
Bowling alleys	5	
Clubs, lodge halls, fraternal organizations	5	
Athletic amusement facilities		
Auditoriums, stadiums, amphitheaters	50	
Amusement facilities	50	
Commercial swimming pools, schools	5	
Gymnasiums, health spas	2	
Dancehalls	2	
Tennis courts, clubs, pro shops	2	
Golf courses		
Nonprofit	10	
Three-par	10	
Miniature	10	
Other golf courses	10	
Race tracks	50	
Horse stable – Private	5	
Camps	25	
Skating rinks		
Ice	5	
Roller	5	
Miscellaneous recreational property	2	
Vacant recreational property	0.0	
Institutional		
Churches	1	
Church parking lot	0.5	
Schools (private)	5	
Colleges, universities (private)	25	
Hospitals	5	
Convalescent hospitals, nursing homes	5	
Homes for aged and others	3	
Cemeteries, mausoleums, mortuaries		
Cemeteries	3	
Mortuaries, funeral homes	10	
Miscellaneous institutional property	2	
Vacant institutional property	0.0	
Miscellaneous		
Undesignated	2	
Vacant undesignated	0.0	
Utility: commercial and mutual; pumping plants; and state-assessed property	1	
Mining	1	
Petroleum and gas	1	
Pipelines, canals	0.5	
Rights-of-way	0.5	
Dump sites	2	

(Ord. 91-0119 Section 1 (part), 1991.)

EXHIBIT B

Tax Rate Areas

Solid Waste Generation Service Charge Tax Rate Areas

The Tax Rate Areas (TRAs) for Solid Waste Generation Service Charge in the following pages are a list of areas in the County Unincorporated Area developed by the Los County Angeles Assessor's office where taxes are assessed. Generally, the TRAs are provided to the Department of Auditor-Controller to determine the assessment to charge parcels for various services on the County's property tax roll. Within each TRA there maybe a few hundred to a few thousand parcels that will be assessed the Solid Waste Generation Service Charge through direct assessment. The number of Solid Waste Generation units charged is determined by the type of Land Use on the parcel. Each year, the Assessor's office generates the TRAs list and typically there are changes within each TRA, such as new parcels added or removed due to various circumstances that occurred within each parcel. Additionally, the number of solid waste generation units may change as a result of the Land Use on the parcel.

