



**ATTACHMENT #2**

**Elevation Drawing of [REDACTED] School Library (for Exhibit B)**



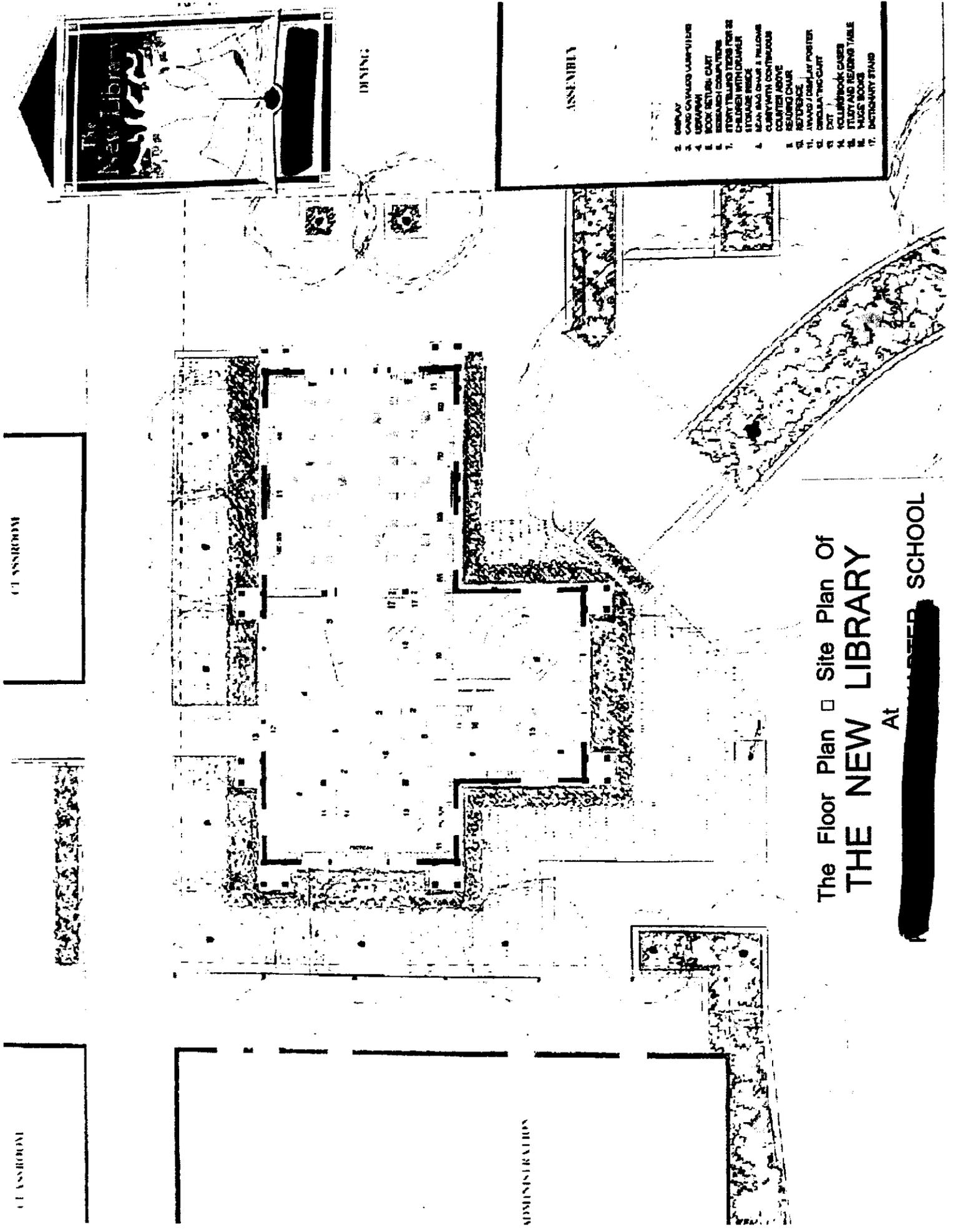
The Model Of  
**THE NEW LIBRARY**  
At  
[REDACTED] SCHOOL



THE BUILDING ELEVATION  
THE NEW LIBRARY  
AT [REDACTED] SCHOOL

**ATTACHMENT #3**

**Floor Plan of Library (for Exhibit B)**



CLASSROOM

CLASSROOM

DINING

ASSEMBLY

ADMINISTRATION

- 1. DISPLAY
- 2. CARD CATALOG USER-FINDER
- 3. UPRUNNIN
- 4. BOOK RETURN CART
- 5. RESEARCH COMPARTMENTS
- 6. STUDY TABLES FOR 2-3 CHILDREN WITH DRAWER
- 7. STORAGE BENCH
- 8. SEAT AND CHAIR
- 9. FELLOW
- 10. COUNTER ABOVE COUNTER
- 11. REFERENCE
- 12. AVAIL / DISPLAY POSTER
- 13. DISPLAYING CART
- 14. EXIT
- 15. COLLAPSE CASES
- 16. STUDY AND READING TABLE
- 17. MAGS BOOKS
- 18. DICTIONARY STAND

The Floor Plan □ Site Plan Of  
**THE NEW LIBRARY**  
 At ██████████ ██████████ SCHOOL

**ATTACHMENT #4**

**List of Reused Materials (for Exhibit B)**



CUSTOMER NO. 2630	JOB NO. 174232	PURCHASE ORDER NO. 174232	REFERENCE GEORGES NEW NEW HOUSE	TERMS NET 30 DAYS	CLERK ED	DATE 11/ 9/88	TIME 10:57
----------------------	-------------------	------------------------------	------------------------------------	----------------------	-------------	------------------	---------------

SO  
LO  
LD  
TO

LIFE AS A HOUSE  
AVERY PIX INC.  
825 N. SAN VICENTE BLVD.  
LOS ANGELES CA 90069

SH  
IP  
TO

"LIFE AS A HOUSE"  
50. VERDE DRIVE  
PALOS VERDE, CA.

DUCH 2824  
\*\*\*\*\*  
\* ZIP/PRICE \*  
\*\*\*\*\*

TAX : F1 FTM TAXABLE ETDH 8654

TERMS & CONDITIONS  
THIS BILL IS DUE ON THE 10TH OF THE MONTH FOLLOWING THE MONTH OF PURCHASE. DELINQUENT THEREAFTER, 1%  
INTEREST PER MONTH - 18% ANNUALLY WILL BE CHARGED ON PAST DUE ACCOUNTS WITH A BALANCE UP TO AND  
INCLUDING \$1000. IF FOR ANY REASON THIS ACCOUNT BECOMES DELINQUENT, BUYER AGREES TO PAY COLLECTION  
CHARGES, ATTORNEY FEES, INTEREST AND ALL OTHER COSTS

SHIPPED	ORDERED	UM	SKU	DESCRIPTION	UNITS	PRICE/PER	EXTENSION
320	BF	DIRECT FIR BDF	4-7.5X11-10 H1 & BTR MAG FIR		320	1.39 /BF	444.80 *

** AMOUNT CHARGED TO STORE ACCOUNT **	16,525.76	TAXABLE	15266.29
		NON-TAXABLE	0.00
		SUBTOTAL	15266.29
		TAX AMOUNT	1259.47
		TOTAL AMOUNT	16525.76

X

RECEIVED BY





CUSTOMER NO. 2628	JOB NO. 174286	PURCHASE ORDER NO. 174286	REFERENCE PO # 174286	TERMS NET 30 DAYS	CLERK LC	DATE 11/17/88	TIME 10:54
----------------------	-------------------	------------------------------	--------------------------	----------------------	-------------	------------------	---------------

S O L D  
LIFE AS A HOUSE  
AVERY PIX INC.  
825 N. SAN VICENTE BLVD.  
LOS ANGELES CA 90069

S H I P T O  
"LIFE AS A HOUSE"  
SO. PALOS VERDE DRIVE  
PALOS VERDE, CA.

DOCH 2954  
\*\*DUPLICATE\*\*  
\* INVOICE \*  
\*\*\*\*\*

TAX : F1 FILM TAXABLE

TERMS & CONDITIONS  
THIS BILL IS DUE ON THE 10TH OF THE MONTH FOLLOWING THE MONTH OF PURCHASE. DELINQUENT THEREAFTER, 1% INTEREST PER MONTH. 18% ANNUALLY WILL BE CHARGED ON ALL ACCOUNTS WITH A BALANCE UP TO AND INCLUDING \$1000. IF FOR ANY REASON THIS ACCOUNT BECOMES DELINQUENT, BUYER AGREES TO PAY COLLECTION CHARGES, ATTORNEY FEES, INTEREST AND ALL OTHER COSTS.

SHIPPED	ORDERED	UM	SKU	DESCRIPTION	UNITS	PRICE/PER	EXTENSION
960		BF	DIRECT FIR BOF	80-2.5"X2.5"-16' H1 & BTR DONG FI	960	1.39 /BF	1,334.40 *
3240		BF	DIRECT FIR BOF	60-2.5"X10"-18' H1 & BTR DONG FIR	3240	1.39 /BF	4,503.10 *
960		BF	DIRECT FIR BOF	20-2.5"X10"-16' H1 & BTR DONG FIR	960	1.39 /BF	1,334.40 *
32		BF	DIRECT FIR BOF	1-3"X5.5"-16' H1 & BTR DONG FIR	32	1.39 /BF	44.48 *
192		BF	DIRECT FIR BOF	4.5"X6"-16' H1 & BTR DONG FIR	192	1.39 /BF	266.88 *
SHIP MUNDAY AFTER FINISHED							

** AMOUNT CHARGED TO STORE ACCOUNT **	8,101.17	TAXABLE	7483.76
		NON-TAXABLE	0.00
		SUBTOTAL	7483.76
		TAX AMOUNT	617.41
		TOTAL AMOUNT	8101.17

RECEIVED BY

X

3 2 1 0 9 8 7 6 5 4 3 2 1



CUSTOMER NO.	JOB NO.	PURCHASE ORDER NO.	REFERENCE	TERMS	CLERK	DATE	TIME
2630		#174385	OLN #174385	NET 30 DAYS	J.P.	11/21/88	11:33

S  
L  
I  
F  
T  
O

LIFE AS A HOUSE  
AVERY PIX INC.  
825 N. SAN VICENTE BLVD.  
LOS ANGELES CA 90069

S  
H  
I  
P  
T  
O

MOCH 3337  
\*\*DUPLICATE\*\*  
\* INVOICE \*  
\*\*\*\*\*

TAX : F1 FILM TAXABLE  
ORDER 10869

TERMS & CONDITIONS  
THIS BILL IS DUE ON THE 10TH OF THE MONTH FOLLOWING THE MONTH OF PURCHASE. DELINQUENT THEREAFTER 1 1/2%  
INTEREST PER MONTH - 18% ANNUALLY WILL BE CHARGED ON PAST DUE ACCOUNTS WITH BALANCE DUE TO US.  
INCLUDING \$1000. IF FOR ANY REASON THIS ACCOUNT BECOMES DELINQUENT, BUYER AGREES TO PAY COLLECTION  
CHARGES, ATTORNEY FEES, INTEREST AND ALL OTHER COSTS.

SHIPPED	ORDERED	UM	SKU	DESCRIPTION	UNITS	PRICE/PER	EXTENSION
600	B*		DIRECT FIR BDF	6-8"X8"-12 #1 BTR DRAG FIR	600	1.39 /BF	834.00 *
512	W*		DIRECT FIR BDF	4-7.5"X11"-16' #1 BTR DRAG FIR	512	1.39 /BF	711.68 *

\*\* AMOUNT CHARGED TO STORE ACCOUNT \*\*

TAXABLE	1545.68
MINI-TAXABLE	0.00
SUBTOTAL	1545.68
TAX AMOUNT	127.52
TOTAL AMOUNT	1673.20

RECEIVED BY

X



506 SOUTH

CUSTOMER NO. 2638	JOB NO. H174529	REFERENCE PO # H174529	TERMS NET 30 DAYS	CLERK LG	DATE 11/21/88	TIME 11:37
----------------------	--------------------	---------------------------	----------------------	-------------	------------------	---------------

S H I P T O

LIFE AS A HOUSE  
AVERY PIX INC.  
825 N. SAN VICENTE BLVD.  
LOS ANGELES CA 90069

DOCH 3339  
MUNICIPALICATE\*\*  
\* INVOICE \*  
\*\*\*\*\*  
BIDN 10766

TAX : F1 FILM TAXABLE

TERMS & CONDITIONS  
THIS BILL IS DUE ON THE 10TH OF THE MONTH FOLLOWING THE MONTH OF PURCHASE. DELINQUENT THEREAFTER, 1% INTEREST PER MONTH. 1% ANNUALLY WILL BE CHARGED ON PAST DUE ACCOUNTS. BALANCE UP TO AND INCLUDING \$1000. IF FOR ANY REASON THIS ACCOUNT BECOMES DELINQUENT, BUYER AGREES TO PAY COLLECTION CHARGES, ATTORNEY FEES, INTEREST AND ALL OTHER COSTS.

SHIPPED	ORDERED	UM	SKU	DESCRIPTION	UNITS	PRICE/PER	EXTENSION
648	BF		DIRECT FIR BDF	3-8"X0"-18' NSEL. EXP FMC S4S	648	1.87 /BF	1,211.76 *
192	BF		DIRECT FIR BDF	1-0"X8"-16' NSEL EXP FMC S4S	192	1.87 /BF	359.04 *
1	BF		DIRECT FIR BDF	1-5.5"X 8"-28' N1 BTR DUNG FIR	1	120.00 /BF	120.00 *

\*\* AMOUNT CHARGED TO STORE ACCOUNT \*\*

TAXABLE	1,030.29
NON-TAXABLE	0.00
SUBTOTAL	1690.80

RECEIVED BY

TAX AMOUNT	139.49
TOTAL AMOUNT	1830.29

X



TOPANGA  
 2636  
 #177986

CUSTOMER NO.	JOB NO.	PURCHASE ORDER NO.	REFERENCE	TERMS	CLERK	DATE	TIME
2636		#177986	PO # 117286	NET 30 DAYS	LC	1/19/01	11:33

TO  
 LIFE AS A HOUSE  
 AVERY PIX INC.  
 825 N. SAN VICENTE BLVD.  
 LOS ANGELES CA 90069

SHIP TO

DOCH 5333  
 \*\*DUPLICATE\*\*  
 \* INVOICE \*  
 \*\*\*\*\*

ORDER 17484

TAX : F1 FILM TAXABLE

TERMS & CONDITIONS  
 THIS BILL IS DUE THE 10TH OF THE MONTH FOLLOWING THE MONTH OF PURCHASE. DELINQUENT THEREAFTER, 1.5% INTEREST PER MONTH. 1.5% ANNUAL SERVICE CHARGES ON PAST DUE ACCOUNTS WITH A BALANCE UP TO AND INCLUDING \$1000. IF FOR ANY REASON THIS ACCOUNT BECOMES DELINQUENT, BUYER AGREES TO PAY COLLECTION CHARGES, ATTORNEY FEES, INTEREST AND ALL OTHER COSTS.

SHIPPED	ORDERED	UM	SKU	DESCRIPTION	UNITS	PRICE/PER	EXTENSION
150	EA	2408DF	2X4-08 STD & BTR DDOG FIR	150	2.726/EA	408.90 *	
5	EA	4412DF	4X4-12 STD & BTR DDOG FIR	5	12.00 /EA	60.00 *	
60	FT	340R	3/4 X 3/4 QUARTER ROUND	80	.34 /FT	27.20 *	
936	BF	DIRECT FIR BDF	20-4.5"X4.5"-12' #1 DF 54S EXP	936	1.39 /BF	1,301.04 *	
64	DF	DIRECT FIR BDF	5-1" X 8" - 10' #1 DF 54S EXP	84	1.39 /BF	116.76 *	
27	WF	DIRECT FIR BDF	2 - 1" X 6" - 10' #1 DF 54S EXP	27	1.39 /BF	37.53 *	

** AMOUNT CHARGED TO STORE ACCOUNT **	2,107.54	TAXABLE	1951.43
		NET-TAXABLE	6.00
		SUBTOTAL	1951.43
TAX AMOUNT	156.11	TOTAL AMOUNT	2107.54

X

RECEIVED BY





50

CUSTOMER NO. 2638	JOB NO. 174542	PURCHASE ORDER NO. TIMBERS & LOGS	REFERENCE NET 30 DAYS	TERMS LC	CLERK LC	DATE 11/29/80	TIME 11:43
----------------------	-------------------	--------------------------------------	--------------------------	-------------	-------------	------------------	---------------

SO  
IL  
ID  
IT  
TO

LIFE AS A HOUSE  
AVERY PIX INC.  
825 N. SAN VICENTE BLVD.  
LOS ANGELES CA 90069

SH  
IP  
TO

"LIFE AS A HOUSE"  
SO. PALOS VERDE DRIVE  
PALOS VERDE, CA.

DOCH 352C  
\*\*DUPLICATE\*\*  
\* INVOICE \*  
\*\*\*\*\*

TAX : FJ FILM TAXABLE

OKDR 11465

TERMS & CONDITIONS  
THIS BILL IS DUE ON THE 10TH OF THE MONTH FOLLOWING THE MONTH OF PURCHASE. DELINQUENT THEREAFTER, 1 1/2%  
MONTHLY INTEREST WILL BE CHARGED. THIS ACCOUNT BECOMES DELINQUENT, BUYER AGREES TO PAY COLLECTION  
CHARGES, A ATTORNEY FEES, INTEREST AND ALL OTHER COSTS.

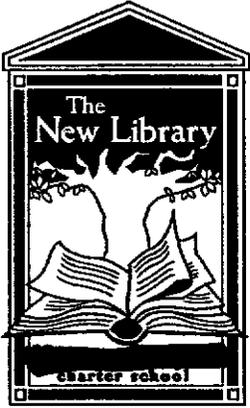
SHIPPED	ORDERED	UM	SKU	DESCRIPTION	UNITS	PRICE/PER	EXTENSION
240	BF	BF	DIRECT FIR BDF	3-7.5X11-16' H1 & BTR DOUG FIR E	240	1.39 /BF	333.60 *
256	BF	BF	DIRECT FIR BDF	2-7.5X11-16' H1 & BTR DOUG FIR E	256	1.39 /BF	355.84 *
4	EA	EA	2616VGF	2X6-16 M.G. C & BTR FIR K.D.	4	34.95 /EA	137.80 *
12	EA	EA	2418VGF	2X4-18 M.G. C & BTR FIR K.D.	12	23.95 /EA	287.40 *
SHIP MEN FINISHED							

** AMOUNT CHARGED TO STORE ACCOUNT **	1,288.76	TAXABLE	1116.64
		NON-TAXABLE	0.00
		SUBTOTAL	1116.64
		TAX AMOUNT	92.12
		TOTAL AMOUNT	1208.76

X

RECEIVED BY

**ATTACHMENT #5**  
**Matching Fund Letter of Intent (for Exhibit D)**



November 29, 2001

Co-Chairs

[Redacted names]

California Integrated Waste Management Board  
REUSE ASSISTANCE GRANT APPLICATION  
P.O. Box 4025  
Sacramento, CA 95812

Director of Development

[Redacted name]

Attention: Grants Administration Unit, MS-10

Director of Finance

[Redacted name]

To the Grant Administrator:

Project Manager

[Redacted name]

The Parent Support Group (PSG) is the fundraising booster club for [Redacted] Charter School. The need for an upgraded or new library at our school was identified by PSG about 18 months ago. Since that time, PSG has been the recipient of three grants under the [Redacted] BB Bond Program. Total grant proceeds equal \$129,000 and are held in trust with the [Redacted] BB Bond Matching Program on behalf of [Redacted].

In addition, PSG has raised funds from parents, businesses and community groups. These contributions total \$143,500. A portion of this amount represents in-kind donations of services. Except for the in-kind portion, these contributions are held in the PSG bank account, earmarked for the New Library.

Sincerely,

[Redacted signature]

Director of Development  
The New Library Committee

[Redacted footer text]

**ATTACHMENT #6**  
**Letters of Support (for Exhibit E)**

Committees  
Chair, Public Safety

Vice-Chair, Planning and Land  
Use Management

Member, Budget and Finance

[REDACTED]

City of [REDACTED]  
Councilwoman, [REDACTED]

November 26, 2001

California Integrated Waste Management Board  
Attention: Grants Administration Unit, MS-10  
REUSE ASSISTANCE GRANT APPLICATION  
P.O. Box 4025  
Sacramento, CA 95812-4025

To the Grants Administrator:

I am delighted to endorse the New Library project for the [REDACTED] School, an elementary school within the [REDACTED] District, which I represent on the City Council.

In [REDACTED] we grapple every day with the enormous issues of waste disposal and waste reduction. Therefore, it is particularly gratifying to see a group of parents, the [REDACTED] Parent Support Group and its Library Committee, with the vision to identify a beautiful building originally built as part of a movie set, which would otherwise have been demolished, and turn it to an outstanding educational use as their new school library.

This project already has begun to generate positive publicity and it promises to serve as an attractive model of public/private cooperation on waste reduction. We want to encourage the business community and the public sector to engage in exactly this type of creative thinking when it comes to reusing a wide range of materials rather than consigning them to our landfills.

The city's Sanitation Department is working with the school and its parent volunteers on this project. It's an excellent opportunity to demonstrate to a wider audience how city government and local citizens can become partners to tackle a problem like waste reduction in a way that has a lasting beneficial effect.

I support this project enthusiastically and urge the Waste Management Board to approve this grant request for \$50,000 to reuse the building materials waiting in storage to become a much-needed children's library for the [REDACTED] School.

Sincerely,

[REDACTED]

[REDACTED]ski

Valley Office

[REDACTED] 202

City Hall

[REDACTED] Office

**BOARD OF EDUCATION  
CITY OF [REDACTED]**

**[REDACTED]  
MEMBER OF THE BOARD**

November 29, 2001

California Integrated Waste Management Board  
Attention: Grants Administration Unit, MS-10  
REUSE ASSISTANCE GRANT APPLICATION  
P.O. Box 4025  
Sacramento, CA 95812-4025

Dear Grants Administrator:

Recently, I had the opportunity to attend a screening of the movie "Life as a House" at a fund-raising event for the New Library Project of the [REDACTED] Charter School.

The project will reuse all the materials from the Craftsman-style house, which is the central setting of the movie, by rebuilding it on the elementary school grounds. It will become the children's library and a showcase for the value of reusing materials that otherwise would have been relegated to a landfill. This is a project we can use as a model for other schools in Los Angeles and beyond.

As a member of the [REDACTED] Board of Education, I applaud this creative approach to providing a desperately needed educational resource - a fully equipped and functional library - for a student population. Libraries have been neglected for too long in the [REDACTED] Unified School District because of severe budget constraints and overcrowded buildings. This project promises to be a model for other schools in our over-burdened district. It will encourage others to find ways to forge links with the business community and reuse materials in a way that will make a tremendous difference to our students.

Parent involvement is one of my top priorities, and I am well acquainted with the volunteer work that these parents do for the [REDACTED] School. I am confident that this project will be completed in a first class manner. Additionally, the educational value that an adequate library adds to a school cannot be overstated.

November 29, 2001

Page 2

The effect that this project has will extend far into the future as succeeding classes of children have the opportunity a library offers them to become lifelong learners.

I am happy to be one of the many supporters of the [REDACTED] School's new-but-reused library and I encourage the Waste Management Board to approve the grant proposal that will move this exciting project forward.

Best regards,

[REDACTED]

[REDACTED]  
Board Member, District [REDACTED]

**ATTACHMENT #7**

**Resumes [REDACTED] Statement (for Exhibit E)**



while bringing their Victorian influences from the East Coast. The home was planned using double wythes of stabilized adobe bricks with 4 inches of rigid insulation between them. It is composed as if it was added on to over time by successive generations.

**EARLY CALIFORNIA HACIENDA**

This residence is crafted out of the tile roof, thick walls, plaster and wood timber that are our heritage from the Missions that were built across Southern California as the Spaniards settled in the Native American territory. The walled courtyard, fountain and covered arcades create the protection and oasis of an Early California Hacienda.

**ELEMENTARY SCHOOL, ROSE**

As a pro bono Architect, Mr. [REDACTED] has been involved in improving the school facilities with Landscape, Trees, Playground Apparatus, The Kindergarten City Center and The Children's Reading Garden. Currently he is working on a new Library.

**ART SCHOOL**

[REDACTED] is the Design Architect for the \$1.5 million in improvements that have been recently completed at the school. An additional \$300,000 in additional improvements are in work. He also has a design for a new gym and streetscape. The gardens include a California Mission, Farm, Native American Garden and Archeological dig. A wikiup, campsite, grinding hollows, footprints, etc., will become the Native American discovery zone for students to learn history and science in the field.

**QUALIFICATIONS**

The firm's office is in West [REDACTED] at [REDACTED] Boulevard [REDACTED] lives in [REDACTED]. He has lived and worked in the [REDACTED] for 29 years.

The firm typically provides comprehensive architectural services including Design, Construction Documents, and Construction observation.

Over the past [REDACTED] year [REDACTED] and staff have completed many large and small projects. Most appropriate to this unique and sensitive project is that they have done many projects requiring an unusual degree of identification with the client's goals, which will be an asset for this project.

~~University of California~~  
B.A. ~~1968~~

~~Bullock's Department Store~~  
Assistant Buyer's Program 1968  
Freelance Copywriter 1968

~~Mapleway~~  
Staff Copywriter 1968

~~Mapleway~~  
Staff Copywriter 1968-1970

~~Woodward & Lothrop~~  
Senior Staff Copywriter 1970-1972

~~Anti-Defamation League~~  
Lecture Series Project Director 1972

~~Templeton~~  
Editor for the ISALAN newsletter 1972-1975

### COMMUNITY INVOLVEMENT

Korch ~~Task Force~~  
The ~~Education~~ Coalition for Literacy  
Creative writing teacher for ~~Templeton~~'s after school classes  
~~Templeton~~ Cooperative Nursery School  
Co-Chair for ~~Templeton~~'s Silent Auction Dinner Party 1991

### PERSONAL ESSAYS PUBLISHED

"~~Templeton~~"  
NEWSWEEK 1997

"~~Templeton~~"  
Templeton Magazine 1998  
Now part of the ~~Templeton~~ Historical Museum  
Permanent Archives

"~~Templeton~~"  
A ~~Biography~~ 1998

[REDACTED]  
[REDACTED]  
Home: [REDACTED]  
Home Fax: [REDACTED]  
Work: [REDACTED]  
Work Fax: [REDACTED]  
Email: [REDACTED]@earthlink.net

**PROFESSIONAL EXPERIENCE**

Principal [REDACTED] AL

[REDACTED]  
January [REDACTED] - Present

Creator, co-founder and manager of a closed end real estate investment fund specializing in providing off-balance sheet financing to public homebuilders in the U.S. Initially this involved establishing the business plan, developing and structuring the investment product, marketing the Fund to public homebuilders, creating all documentation and overseeing the raising of debt and equity from institutional and individual investors. As properties were purchased, the focus became the negotiation of property acquisitions, hiring professional staff, developing internal procedures for underwriting and managing the [REDACTED]'s assets; establishing financial reporting and maintaining the relationships with the [REDACTED]'s lenders and investors. To date, the [REDACTED] has invested over [REDACTED] million of capital (debt and equity) into numerous single-family residential properties [REDACTED] nationwide. Each property was exclusively optioned to a major public homebuilder.

[REDACTED]  
Director of Development

[REDACTED]  
July [REDACTED] - Dec. [REDACTED]

Assistant [REDACTED] graded homebuilder (formerly [REDACTED])

**Off-Balance Sheet Financing**

- Directed the company's off-balance sheet financing program which consisted of identifying investors, structuring transactions, coordinating due diligence, documenting and closing land acquisitions with third party investors.
- Initiated in [REDACTED], transactions totaled [REDACTED] million in [REDACTED], [REDACTED] million in 1993 and over \$[REDACTED] million in [REDACTED]

**M & A**

- Identified and led [REDACTED]'s acquisition of E [REDACTED] in [REDACTED] and [REDACTED] in April [REDACTED]
- Determined value and defined terms by evaluating assets, liabilities and operating strategies of [REDACTED]

- Coordinated multi-disciplined due diligence efforts, directed all documentation and effectuated closing.

Asset Management

- Devised and implemented work-out strategies for non-performing assets owned by various geographic divisions.
- Oversaw the restructuring and/or disposition of problem properties.
- Managed all leasing activities for domestic facilities (division offices, new home showrooms and mortgage branches).

[REDACTED]

Vice President, [REDACTED] Group - REO Manager

[REDACTED]

March [REDACTED] - July [REDACTED]

A \$[REDACTED] billion federally chartered independent bank headquartered in [REDACTED] Ga.

- Management and disposition of all REO assets held by the [REDACTED]
- Preparation of business plans, budgets, property valuation and liquidation strategy.
- Directed the property management, marketing strategy, selection of brokers, asset pricing, negotiation, documentation, and closed of all property sales and related financing.

[REDACTED] NC.

Senior Vice President  
Vice President

[REDACTED]

Jan. [REDACTED] - July [REDACTED]

Jan. [REDACTED] - Jan. [REDACTED]

The U.S. subsidiary of [REDACTED] a Toronto based financial services company with [REDACTED] in assets prior to its insolvency. Formed in late [REDACTED], [REDACTED] originated and administered profit participation real estate construction loans on development projects in [REDACTED] and [REDACTED].

- Directed the initial organization of the Company resulting in a professional staff of 13 and a portfolio in excess of \$[REDACTED].
- Performed and/or directed all aspects of the construction and loan transactions, including financial and feasibility analysis, credit and risk evaluation, structuring and documentation, and asset management and supervised all loan and asset administrators.
- Directed all workout strategies, foreclosures, and litigation; all development, leasing, maintenance, financial reporting, and disposition of loan assets that became REO.
- Managed the daily operations and corporate administration, including hiring and supervising a professional staff of 13 employees.
- Oversaw the liquidation of the company that began in late [REDACTED] when the parent company's financial condition eroded.

[REDACTED]  
**Senior Director**

[REDACTED]  
June [REDACTED] - Dec. [REDACTED]

Then, the mortgage brokerage division of [REDACTED]

- Structured, negotiated and closed real estate loans of \$2.25 million on apartments, R&D/industrial complexes, retail centers, mobile home parks, hotels, and office buildings. Lenders included major financial institutions, life companies, credit companies, and pension funds.

[REDACTED]  
**Account Officer**

[REDACTED]  
September [REDACTED] - June [REDACTED]

Subsidiary of [REDACTED]

- Business development, analysis of loan submissions, structuring and negotiating loan terms.
- Management of a sizable corporate portfolio and direct marketing of [REDACTED] bank cash management products and interest rate protection products (hedges, interest rate swaps, and rate ceilings).

[REDACTED]  
**Financial Analyst**

[REDACTED]  
June [REDACTED] - Jun [REDACTED]

Summer Intern and part-time credit analyst while completing the second year of business school.

[REDACTED] COUNTY BAR ASSOCIATION

**Project Director**

[REDACTED] California  
August [REDACTED] - September [REDACTED]

Administered a grant-funded parole services project in [REDACTED]s.

**EDUCATION**

UNIVERSITY OF CALIFORNIA [REDACTED] M.B.A., [REDACTED]

Concentration: [REDACTED]

[REDACTED] STATE UNIVERSITY, B.S., [REDACTED]

Major: [REDACTED]

[REDACTED] Unified School District  
Facilities Services Division  
Local District [REDACTED]

[REDACTED]  
Superintendent of Schools

[REDACTED]  
Interim Chief Facilities Executive

[REDACTED]  
Director Maintenance &  
Operations Branch

[REDACTED]  
Deputy Director  
Maintenance & Operations  
Branch

California Integrated Waste Management Board  
Attention: Grants Administration Unit, MS-10  
REUSE ASSISTANCE GRANT APPLICATION  
P.O. Box 4025  
Sacramento CA 95812-4025

To the Grants Administrator:

Local District [REDACTED] acknowledges the [REDACTED] library construction project. At this time the District has assigned an architectural firm to develop the plans for submission to the D.S.A. for approval. The Local District [REDACTED] will be putting the project out to bid for an estimated construction start date in June of 2002, provided that the remaining construction costs are identified. For any additional information please call me at [REDACTED]

[REDACTED]  
[REDACTED]  
Complex Project Manager  
Local District [REDACTED]  
[REDACTED]  
[REDACTED]

**ATTACHMENT #8**  
**Green Procurement Policies (for Exhibit F)**

DIVISION 10 - CONTRACTS  
CHAPTER 1 - CONTRACTS GENERAL  
ARTICLE 6 - RECYCLED PRODUCTS PURCHASING PROGRAM

ARTICLE 6 - RECYCLED PRODUCTS PURCHASING PROGRAM

Sec. 10.32. Findings and Purpose.

(a) Findings. The City Council hereby finds and declares as follows:

- (1) The increasing volume and variety of solid waste generated in the City coupled with the City's diminishing landfill space are creating conditions which potentially threaten the public health, safety and welfare by contributing to air, water, and land pollution, to the waste of dwindling natural resources, and to the general deterioration of the environment. These adverse impacts of land filling constitute an urgent need for the City to enact and implement an aggressive new integrated waste management program.
- (2) The California Integrated Waste Management Act of 1989 (California Public Resources Code sections 40,000 *et seq.*) requires cities to implement an integrated waste management program to divert through source reduction, recycling or composting activities fifty percent (50%) of solid waste annually from landfills or transformation facilities by January 1, 2000.
- (3) For recycling programs to be effective, markets must be developed for products that incorporate post-consumer materials in their manufacture.
- (4) As an essential part of the City's comprehensive program for solid waste management, it is in the public interest to insure that bidding specifications allow, and do not arbitrarily exclude, bids of products with recycled material content to the extent feasible in the City's procurement of goods, supplies and equipment.

(b) Purpose. This article is adopted to accomplish the following purposes:

- (1) The City of [redacted] in exercising its power to make economic decisions as a participant in the market, shall, to the extent permissible and consistent with the City's interests, insure that its specifications for its purchases of and contracting for goods, supplies, and equipment allow, and do not arbitrarily exclude, bids of products that contain recycled material.
- (2) The Council adopts this article to maintain the economic viability of the recycled products market consistent with competitive bidding requirements.

SECTION HISTORY

Added by Ord. No. 168,313, Eff. 12-7-92, Oper. 3-7-93.

Sec. 10.32.1. Definitions.

For purposes of this article, the definitions of "awarding authority" and "contract" contained in Section 10.8.1 of this Code shall be applicable. The term "awarding authority" shall include those departments of the City which exercise independent control over their expenditure of funds and which adopt policies consonant with the provisions of this article. In addition, the following definitions shall apply to the following terms used in this article:

(a) "Bid documents" means request for proposals (RFPs), invitations for bids (IFBs), request for qualification (RFQs), advertisements for bids, and all responses to such documents.

(b) "City" means the City of [redacted] and all awarding authorities thereof, including those departments of the City which exercise independent control over their expenditure of funds and which adopt policies consonant with the provisions of this article.

(c) "Co-compost product" means an end product which meets all of the following requirements:

- (1) It is derived from a blending of materials, of which at least 80 percent is household refuse and the remainder is sewage sludge or other comparable substitutes, including, but not limited to, nontoxic dairy wastes, livestock and horse manure, or fish wastes.
- (2) It is usable.
- (3) It is source-separated from the municipal solid waste stream.

(d) "Compost product" means an end product which meets all of the following requirements:

- (1) It is derived from the controlled biological decomposition of a blend of organic wastes, including, but not limited to, wood by-products, plant waste, yard refuse, or sewage sludge.
- (2) It is usable.
- (3) It is source-separated from the municipal solid waste stream.

(e) "Fly Ash" means the component of coal which results from the combustion of coal, and is the finely divided mineral residue which is typically collected from boiler stack gases by electrostatic precipitator or mechanical collection devices.

(f) "Lubricating oil" means engine lubricating oils, hydraulic fluids, and gear oils, excluding marine and aviation oils.

(g) "Mill broke" means any paper waste generated in a paper mill prior to completion of the paper making process. It is usually returned directly to the pulping process. Mill broke is excluded from the definition of "Recycled material."

(h) "Performance standards" means a statement of the desired operation or function of a material, supply, or equipment.

(i) "Post-consumer waste" means a finished material which would normally be disposed of as a solid waste, having completed its life cycle as a consumer item. "Post-consumer waste" is part of a broader category, "Recycled material."

(j) "Products" means goods, supplies or equipment.

(k) "Recycled material" means a material that can be utilized in place of a raw or virgin material in manufacturing a product of materials derived from post consumer waste, secondary waste, or reusable products, all of which can be used in the manufacture of new products.

(l) "Recycled paper" means all paper and wood pulp products containing post-consumer waste and secondary waste materials with not less than 50 percent of its total weight consisting of secondary and post-consumer waste and not less than 10 percent of its total weight consisting of post-consumer waste.

(m) "Re-refined oil" means used oil from which the physical and chemical contaminants acquired through previous use have been removed through a refining process.

(n) "Retreaded tire" means any tire that utilizes an existing casing for the purpose of vulcanizing new tread to such casing which meets all performance and quality standards specified in the

Federal Motor Vehicle Safety Standards determined by the United States Department of Transportation.

- (o) "Secondary Waste" means fragments of products or finished products of a manufacturing process, which has converted a virgin resource into a commodity of real economic value, and includes post-consumer waste, but does not include fibrous waste generated during the manufacturing process such as fibers recovered from wastewater or trimmings of paper machine rolls (mill broke), wood slabs, chips, sawdust or other wood residue from a manufacturing process. "Secondary waste" is part of a broader category, "Recycled material."
- (p) "Specification" means a clear and accurate description of the technical requirements for products or services, which specifies the minimum requirement for quality and construction of such products or services.

#### SECTION HISTORY

Added by Ord. No. 169,313, Eff. 12-7-92, Oper. 3-7-93.

#### Sec. 10.32.2. Applicable Products.

- (a) This article applies to procurement and purchase of products such as but not limited to the following, or to products made therefrom:

- (1) Paper products, which include, but are not limited to, fine grades of paper, corrugated boxes, newsprint, tissue, toweling.
- (2) Compost and co-compost products.
- (3) Glass.
- (4) Lubricating oil.
- (5) Plastic.
- (6) Solvents and paint, including water-based paint.
- (7) Tires.
- (8) Building insulation.
- (9) Concrete and cement (containing fly ash).
- (10) Automobile parts.
- (11) Rubber.
- (12) Asphalt.
- (13) Batteries.
- (14) Aggregate rock.

- (b) This article shall not apply to the following types of equipment or to the following materials or to products made of the following materials:

- (1) Motor vehicles, machinery and electronic equipment
- (2) Tin.
- (3) Aluminum.
- (4) Copper.

#### SECTION HISTORY

Added by Ord. No. 169,313, Eff. 12-7-92, Oper. 3-7-93.

#### Sec. 10.32.2.1. Award of Contracts.

- (a) This section shall not apply to contracts for purchases of \$1,000.00 or less.

- (b) Except as provided in Section 10.32.3, all requests for bids or proposals for products shall request bids both for such items containing no recycled materials and for such items containing recycled materials. However, bidders shall be permitted to submit bids for either or both such classes of products. Such specifications shall comply with the provisions of Section 10.32.3. For purposes of this section, "items containing no recycled material" shall mean items containing less than twenty-five percent (25%) recycled materials at least two-fifths of which (ten percent of the total) is post-consumer waste, determined according to weight or number of items, whichever is deemed appropriate by the awarding authority. Provided, however, that whenever the Purchasing Agent determines that the items to be purchased are reasonably available containing recycled material and that

- (1) the cost differential between such items containing recycled material and containing no recycled material historically has not exceeded 10%.
- (2) there is sufficient market availability of such items, and
- (3) the items containing recycled materials will satisfy performance standards, the request for bids shall specify only items containing recycled materials.

- (c) A preference is hereby established, and each awarding authority is hereby directed, to award each such contract for the purchase of products to the lowest and best responsible bidder offering products containing recycled materials and meeting specifications; provided that, if bids are received both for items containing recycled materials and for the same items containing no recycled materials and the cost of the items containing recycled materials is greater than the prices bid for the items containing no recycled materials by an amount greater than ten percent (10%) of the cost of the latter, the award of such contract, if any, shall be made to the lowest and best responsible bidder offering the items containing no recycled materials and meeting specifications.

Nothing contained herein shall be deemed or construed to preclude an awarding authority from rejecting all bids as permitted by City Charter Section 371.

- (d) Nothing in this section shall be construed to require that an awarding authority not consider guarantees as to efficiency, operating cost, useful life, availability, time of delivery, and other appropriate factors in determining the lowest and best regular responsible bidder.

This section shall not be construed to relieve the contractor or vendor of providing a product that satisfactorily meets all specifications and applicable performance standards.

- (e) In bids in which the City has reserved the right to make multiple awards, the preference established in this section shall be applied, to the extent possible, so as to maximize the procurement of products which contain recycled materials.

- (f) Contracts awarded by the Purchasing Agent wherein the preference established in this section is applied shall be limited to those which combined have a total additional cost to the City resulting from such preference of \$2,500,000 per fiscal year. The additional cost to the City resulting from such preference is the additional dollar amount the City spends to award a contract to a bidder offering recycled material whenever a contract to a bidder offering items which contain no recycled materials would cost the City less. The Purchasing Agent shall give notice to the City Council no less than 45 days before it is expected that this limit will restrict the preferential award of contracts offering recycled content. The City Council may authorize the Purchasing Agent to exceed the \$2,500,000 by an increment of \$250,000 at any one time.

- (g) Contracts wherein the preference established in this section applies shall be excluded from the application of the Small

Local Business Program set forth in Article 4 of Chapter I of Division 10 of this Code.

#### SECTION HISTORY

Added by Ord. No. 170,485, Eff. 5-26-95.

Amended by: Ord. No. 173,285, Eff. 6-26-00, Oper. 7-1-00.

#### Sec. 10.32.3. Specifications To Allow For Recycled Material

##### (a) Specification Review.

- (1) All City departments, agencies, and offices that have responsibility for drafting or reviewing specifications for products procured by the City shall review those specifications and ascertain whether recycled materials are excluded from the specifications. All specifications with such exclusions shall be rewritten without the exclusion, unless performance standards would not be satisfied.
- (2) Any statement in a specification that requires the product to be manufactured from virgin materials shall be eliminated, unless performance standards would not be satisfied.
- (3) All specifications shall be revised if the performance standards arbitrarily exclude products that contain the maximum practical amounts of recycled materials.
- (4) Specifications shall allow the recycled material content in the products to be post-consumer waste wherever practicable or allow that the recycled material utilized, if any, contain the highest percentage of post-consumer waste that is practicable.
- (5) Specifications that are unnecessarily stringent for a particular end use and that bear no relation to function shall be revised in order to allow for a higher utilization of recycled materials containing post-consumer waste.
- (6) When a product containing post-consumer waste is produced in types and grades previously not available, specifications shall be revised to allow the use of such type or grade product, unless performance standards would not be satisfied.
- (7) Whenever performance standards allow, all specifications shall permit bidders to submit bids on products containing recycled material.
- (8) The specifications shall allow the substitution of products made from virgin materials with products made from recycled materials, and, to the extent feasible, shall focus on performance standards.
- (9) Whenever possible, specifications shall allow a specific minimum amount or percent of recycled content for the requested products. Such amount or percent shall be based on industry standards or any other relevant technological information regarding the manufacture of such goods.

##### (b) Powers and Duties of the Purchasing Agent.

- (1) The Purchasing Agent, in consultation with the Purchasing Standards Committee, shall review the procurement specifications used by the requesting departments, agencies, and offices in order to insure that they allow the procurement of recycled products.
- (2) The Purchasing Agent is hereby authorized to withhold his endorsement of approval of those specifications subject to this article which do not comply with the provisions hereof.

- (3) The Purchasing Agent shall revise specifications to eliminate purchases of paper products deemed potential contaminants to the City's recycling programs.

- (c) Nothing in this section shall be construed to require that an awarding authority not consider guarantees as to efficiency, operating cost, useful life, availability, time of delivery, and other appropriate factors in determining the lowest and best regular responsible bidder. This section shall not be construed to relieve the contractor or vendor of providing a product that satisfactorily meets all specifications and applicable performance standards. Nothing contained herein shall be deemed or construed to preclude an awarding authority from rejecting all bids as permitted by City Charter Section 371.

#### SECTION HISTORY

Added by Ord. No. 169,313, Eff. 12-7-92, Oper. 3-7-93.

Amended by: Ord. No. 173,285, Eff. 6-26-00, Oper. 7-1-00.

#### Sec. 10.32.4. Certification by Contractors and Vendors.

Contractors or vendors shall certify in writing to the awarding authority the minimum, if not the exact, percentage of recycled material, both post-consumer waste and secondary waste as defined in Section 10.32.1, in products to be provided in the performance of the contract. The contractor or vendor shall provide such certification even in instances in which the product contains no recycled material. Failure to provide such certification shall result in the product being deemed to contain no recycled material.

#### SECTION HISTORY

Added by Ord. No. 169,313, Eff. 12-7-92, Oper. 3-7-93.

#### Sec. 10.32.5. Incorrect Supporting Information.

- (a) The Purchasing Agent is hereby authorized to establish procedures and guidelines for verifying that contractors supply recycled material in products according to the percentages or amounts certified in the contract. Upon request, the Office of Contract Compliance in the Department of Public Works shall assist the Purchasing Agent in implementing this section.
- (b) A firm which has obtained a contract by reason of having furnished incorrect supporting information and which by reason of such information has been awarded a contract to which it would not otherwise be entitled shall:
  - (1) Pay to the City any difference between the amount paid to the firm pursuant to the contract and the calculated cost to the City if the contract had been properly awarded.
  - (2) At the option of the City be subject to having all or part of the contract terminated.
  - (3) Be ineligible to transact any business with the City for a period of not less than three months and not more than 36 months as determined by the awarding authority.
- (c) Prior to the imposition of any sanction under this section; the contractor, or vendor, shall be entitled to a public hearing by the awarding authority and to a ten day prior notice of the time and place thereof. The notice shall state the reason for the hearing.

#### SECTION HISTORY

Added by Ord. No. 169,313, Eff. 12-7-92, Oper. 3-7-93.

#### Sec. 10.32.6. Promotion Program.

- (a) The following shall be done by each awarding authority to promote the City's policy to promote the purchase of products containing recycled materials:

(1) Place a statement describing the City's policy in procurement invitations, and

(2) Describe the City's policy in all bid documents.

(b) In addition, the Purchasing Agent shall inform industry trade associations and recycling industry journals of the City's policy, and respond to specific requests about products, materials and goods purchased by the City from persons interested in manufacturing such items with recycled materials.

#### SECTION HISTORY

Added by Ord. No. 169,313, Eff. 12-7-92, Oper. 3-7-93.

#### Sec. 10.32.7. Contractors

Persons contracting with the City for the provision of services such as contract printing, with respect to work performed under such contracts, shall be permitted by the terms and conditions of their contract with the City to utilize, to the maximum extent feasible and consistent with performance standards, materials, supplies, and equipment containing recycled materials. This requirement shall not apply to contracts which are funded in whole or in part by a grant or with grant or loan funds. This requirement shall apply to those contractors providing materials, supplies, and finished products to the City but not to those using materials incidental to their contractual obligations.

#### SECTION HISTORY

Added by Ord. No. 169,313, Eff. 12-7-92, Oper. 3-7-93.

#### Sec. 10.32.8. Rules and Regulations.

(a) The Purchasing Agent may propose, subject to the approval of the City Council, rules and regulations not in conflict with this article to assist the awarding authorities of the City to carry out the purposes of this article. Those Departments which exercise independent control over their expenditure of funds and elect to adopt policies consonant with this article may promulgate their own rules and regulations or adopt those proposed by the Purchasing Agent and approved by the City Council.

(b) Such rules may include, but not be limited to, the following:

(1) The form and content of the statement to be obtained from prospective bidders; and

(2) Identification of products and materials to be added to or deleted from the application of this article as set forth in Section 10.32.2.

The Purchasing Agent shall prepare and adopt a standard form to meet the requirements of Section 10.32.4 without further Council approval.

#### SECTION HISTORY

Added by Ord. No. 169,313, Eff. 12-7-92, Oper. 3-7-93.

Amended by: Ord. No. 173,186, Eff. 5-22-00.

#### Sec. 10.32.9. Annual Review.

(a) No later than September 1 of each year, each awarding authority shall prepare a review and monitoring report to the Office of Administrative and Research Services of its recycled products program during the preceding fiscal year, including the following:

(1) An estimate of the quantity and dollar amount of products containing recycled material purchased, indicating both post-consumer and secondary waste;

(2) Experience with the performance of the procured products containing recycled materials;

(3) Documentation of specification revisions made during the report period;

(4) Any enforcement actions taken under Sec. 10.32.5. of this article;

(5) The feasibility of utilizing recycled materials, with a minimum content requirement in the specification of products; and,

(6) Opportunity to reduce waste generated by City departments by modifying specifications.

(7) Recommendations for the exclusion or addition of specific products to the products to which the program is applicable.

(b) No later than November 1 of each year the Director of the Office of Administrative and Research Services shall submit to the City Council a summary and analysis of the awarding authorities' reports with recommendations as appropriate.

#### SECTION HISTORY

Added by Ord. No. 169,313, Eff. 12-7-92, Oper. 3-7-93.

Amended by: Subsecs. (a) and (b), Ord. No. 173,285, Eff. 6-26-00, Oper. 7-1-00; Subsec. (b), Ord. No. 173,363, Eff. 7-29-00, Oper. 7-1-00.

#### Sec. 10.32.10. Operative Date.

This article shall become operative three months after the effective date of this ordinance.

#### SECTION HISTORY

Added by Ord. No. 169,313, Eff. 12-7-92, Oper. 3-7-93.

ORDINANCE NO. 170485

An ordinance amending the Administrative Code to establish a lot purchasing preference for products containing recycled material.

THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section 1. Section 10.32.2.1 is hereby added to the Los Angeles Administrative Code to read in its entirety as follows:

Sec. 10.32.2.1. Award of Contracts.

(a) This Section shall not apply to contracts for purchases of \$1,000.00 or less.

(b) Except as provided in Section 10.32.3, all requests for bids or proposals for products shall request bids both for such items containing no recycled materials and for such items containing recycled materials. However, bidders shall be permitted to submit bids for either or both such classes of products. Such specifications shall comply with the provisions of Section 10.32.3. For purposes of this section, "items containing no recycled material" shall mean items containing less than twenty-five percent (25%) recycled materials at least two-fifths of which (ten percent of the total) is post-consumer waste, determined according to weight or number of items, whichever is deemed appropriate by the awarding authority. Provided, however, that whenever the purchasing agent determines that the items to be purchased are reasonably available containing recycled material and that (1) the cost differential between such items containing recycled material and containing no recycled material historically has not exceeded 10%, (2) there is sufficient market availability of such items, and (3) the items containing recycled materials will satisfy performance standards, the request for bids shall specify only items containing recycled materials.

(c) A preference is hereby established, and each awarding authority is hereby directed, to award each such contract for the purchase of products to the lowest and best responsible bidder offering products containing recycled materials and meeting specifications; provided that, if bids are received both for items containing no recycled materials and for the same items containing no recycled materials and the cost of the items containing recycled materials is greater than the prices bid for the items containing no recycled materials by an amount greater than ten percent (10%) of the cost of the latter, the award of such contract, if any, shall be made to the lowest and best responsible bidder offering the items containing no recycled materials and meeting specifications. Nothing contained herein shall be deemed or construed to preclude an awarding authority from rejecting all bids as permitted by City Charter Section 386.

(d) Nothing in this section shall be construed to require that an awarding authority, not consider guarantees as to efficiency, operating cost, useful life, availability, time of delivery, and other appropriate factors in determining the lowest and best responsible bidder. This section shall not be construed

to relieve the contractor or vendor of providing a product that satisfactorily meets all specifications and applicable performance standards.

(e) In bids in which the City has reserved the right to make multiple awards, the preference established in this section shall be applied, to the extent possible, so as to minimize the procurement of products which contain recycled materials.

(f) Contracts awarded by the purchasing agent wherein the preference established in this section is applied shall be limited to those which combined have a total additional cost to the City resulting from such preference of \$2,500,000 per fiscal year. The additional cost to the City resulting from such preference is the additional dollar amount the City spends to award a contract to a bidder offering recycled material whenever a contract to a bidder offering items which contain no recycled materials would cost the City less. The purchasing agent shall give notice to the City Council no less than 45 days before it is expected that this limit will restrict the preferential award of contracts offering recycled content. The City Council may authorize the purchasing agent to exceed the \$2,500,000 by an increment of \$250,000 at any one time.

(g) Contracts wherein the preference established in this section applies shall be excluded from the application of the Small Local Business Program set forth in Article 4 of Chapter 1 of Division 10 of this Code.

Sec. 2. The City Clerk shall certify to the passage of this ordinance and cause the same to be published in some daily newspaper printed and published in the city of Los Angeles. I hereby certify that the foregoing ordinance was introduced at the meeting of the Council of the City of Los Angeles on MAR 31 1995 and was passed at its meeting of APR 07 1995

ELIAS MARTINEZ, CITY CLERK

Approved APR 19 1995 By [Signature] Deputy

Approved as to Form and Legality [Signature] Mayor

[Signature] James K. Hahn, City Attorney

[Signature] Senior Assistant City Attorney

File No. 89-1027-1  
89-1457-1

CNS 1268138 4.25.95

ORDINANCE NO. 171687

An ordinance amending Sections 12.03, 12.05, 12.07, 12.07.01, 12.07.1, 12.08, 12.09.1, 12.09.3, 12.12.1, 12.12.2, 12.13.5, 12.14, 12.16, 12.18, 12.22, 12.24, and of the [REDACTED] Municipal Code, and adding new Sections 12.21 A 18 and 12.21 A 19 to the [REDACTED] Municipal Code relating to recycling.

THE PEOPLE OF THE CITY OF [REDACTED]  
DO ORDAIN AS FOLLOWS:

**Section 1.** Section 12.03 of the [REDACTED] Municipal Code is hereby amended by adding in proper alphabetical sequence the following definitions:

**Recyclable Materials.** Items or materials to be recycled or reused, including but not limited to yard waste, paper, plastic, glass, metal, newspaper, and cardboard.

**Recycling Area or Room.** An outdoor space or a room within a building which is designated for the collection of Recyclable Materials generated by the use(s) occupying only that site, is approved by the Fire Department and the Department of Building and Safety, and has the space to accommodate Recycling Receptacles.

**Recycling Collection or Buyback Center.** A facility where Recyclable Materials are deposited or redeemed for monetary value, and which may include baling or crushing operations for the purposes of efficiency of storage and transfer (volume reduction), but shall not include sorting or processing activities for other than temporary storage purposes.

**Recycling Materials Processing Facility.** A facility which accepts Recyclable Materials for sorting and processing on the site. For the purpose of this definition, processing shall mean the process of changing the physical characteristics of a Recyclable Material, including the shredding, smelting, grinding and crushing of cans, bottles, and other materials, for other than temporary storage purposes.

**Recycling Materials Sorting Facility.** A facility which accepts commingled or source-separated Recyclable Materials of various types, which are separated on the site using a manual or automated system. For the purpose of this definition, source-separated Recyclable Materials are those which are separated

from the waste stream at their point of generation for the purpose of recycling. This may include baling or crushing operations for the purposes of efficiency of storage and transfer (volume reduction), but shall not include processing activities, for other than temporary storage purposes.

**Recycling Receptacle.** A container which is suitable for the collection of Recyclable Materials. Containers shall be covered, durable, waterproof, rustproof, and of incombustible construction, and shall provide protection against the environment or be in completely enclosed indoor recycling areas. Containers must be clearly labeled to indicate the type of material to be deposited.

Sec. 2. Section 12.03 of the [REDACTED] Municipal Code is hereby amended to delete the definition of "Recycling Center or Site."

Sec. 3. Section 12.03 of the [REDACTED] Municipal Code is hereby amended by amending the following definition of "Recycling Center Operator or Junk Dealer" to read as follows:

**Recycling Center Operator or Junk Dealer.** A person having a fixed place of business in the City and engaging in, conducting, managing or carrying on the business of buying, selling or otherwise charging or re-selling for reuse, materials approved for collection at an approved Recycling Center or Buyback Center, Recycling Materials Processing Facility, Recycling Materials Sorting Facility or Junk Yard as defined by this Code.

Sec. 4. Subdivision 15 of Subsection A of Section 12.05 is hereby deleted.

Sec. 5. Subdivision 2 of Subsection A of Section 12.07 is hereby deleted.

Sec. 6. Subdivision 5 of Subsection A of Section 12.07.01 is hereby deleted.

Sec. 7. Subdivision 5 of Subsection A of Section 12.07.1 is hereby deleted.

Sec. 8. Subdivision 5 of Subsection A of Section 12.08 is hereby deleted.

Sec. 9. Subdivision 10 of Subsection A of Section 12.09.1 is hereby deleted.

Sec. 10. Subdivision 5 of Subsection B of Section 12.09.3 is hereby deleted.

Sec. 11. Subdivision 7 of Subsection A of Section 12.12.1 is hereby deleted.

Sec. 12. Subdivision 11 of Subsection A of Section 12.12.2 is hereby deleted.

Sec. 13. Subdivisions 12 and 13 of Subsection A of Section 12.13.5 are hereby deleted.

Sec. 14. Subdivision 11 of Subsection A of Section 12.14 is hereby deleted.

Sec. 15. Paragraph (w) of Subdivision 2 of Subsection A of Section 12.16 is hereby deleted.

Sec. 16. Paragraph (d) of Subdivision 3 of Subsection B of Section 12.18 is hereby deleted.

Sec. 17. Subdivision 21 of Subsection A of Section 12.22 is hereby deleted.

Sec. 18. Subparagraph 5 of paragraph (a) of Subdivision 23 of Subsection A of Section 12.22 is hereby amended to read as follows:

**(5) Recycling Area or Room.** Every Mini-Shopping Center or Commercial Corner Development located on a lot zoned C1.5 or less restrictive shall establish a Recycling Area or Room on the lot or lots for the collection of glass, cans, papers and plastics. The Recycling Area or Room shall be primarily for the use of merchants, employees, and tenants of the Mini-Shopping Center or Commercial Corner Development, shall be kept locked and secured from unauthorized entry, and shall conform to the requirements of Section 12.21 A 19 (c) of this Code.

Sec. 19. Subdivision 40 of Subsection C of Section 12.24 of the  Municipal Code is hereby amended to read as follows:

40. The following recycling uses in the zones hereinafter specified, subject to the limitations indicated.

**(a) The depositing of glass, cans, papers, plastic, beverage containers, and similar Recyclable Materials, Recycling Collection or Buyback Centers, and Mobile Recycling Centers, in the C2, C5, CM, P, PB, MR1, M1, or MR2 Zones, provided that the facility complies with all of the conditions set forth in Section 12.21 A 18(d) of this Code, except when the conditions are specifically modified by the Zoning Administrator.**

**(b) The depositing of glass, cans, papers, plastic, beverage containers, and similar Recyclable Materials, Recycling Collection or Buyback Centers, and Mobile Recycling Centers, in the M2 or M3 Zones when the facility is not in compliance with all of the conditions set forth in Section 12.21 A 18(d) of this Code.**

**(c) Recycling Materials Processing Facilities in the M2 and M3 Zones when the facility is not in compliance with all of the conditions set forth in Section 12.21 A 18(f) of this Code.**

**(d) Recycling Materials Sorting Facilities in the M and MR Zones when the facility is not in compliance with all of the conditions set forth in Section 12.21 A 18 (e) of this Code.**

**(e) In approving an application for a conditional use pursuant to this subdivision, in addition to the findings required pursuant to this section, the Zoning Administrator shall find that the location of the proposed recycling use will not be materially detrimental to the public welfare or injurious to the properties or improvements in the affected community. An application for a conditional use shall be referred forthwith for review to the councilperson of the district in which the property is located.**

**(f) An administrative fine of \$250.00 may be collected by the Department of Building and Safety pursuant to the procedures set forth in Section 12.21 A 18(g) of this Code for any violation of a condition or other action of a Zoning Administrator in approving any recycling use pursuant to this subdivision.**

**Sec. 20. Subdivision 41 of subsection C of Section 12:24 of the [REDACTED] Municipal Code is hereby deleted.**

**Sec. 21. A new subdivision 18 of Subsection A of Section 12.21 of the [REDACTED] Municipal Code is hereby added to read as follows:**

**Sec. 22.** A new Subdivision 19 of Subsection A of Section 12.21 of the Municipal Code is hereby added to read as follows:

**19. Areas For Collecting And Loading Recyclable Materials.**

**(a) Purpose.** In accordance with state regulations regarding recycling facilities, these provisions that require adequate areas for collecting and loading Recyclable Materials serve to divert solid waste and address source reduction, recycling, and composting activities.

**(b) Definitions.** As used in this subdivision, the term "development project" shall mean any of the following:

(1) The issuance of a building permit for a commercial, industrial, or institutional building where solid waste generated by the facility is collected and loaded.

(2) The issuance of a building permit for a marina where solid waste generated by the facility is collected and loaded. For the purpose of this definition, the floor area of a marina is the space dedicated to the docking or mooring of marine vessels.

(3) Any new public facility where solid waste generated by the facility is collected and loaded, or any improvements to an area of an existing public facility used to collect and load solid waste generated by the facility. For purposes of this definition, a public facility includes but is not limited to buildings, structures, marinas, and outdoor recreation areas owned by a local agency.

(4) The issuance of a building permit for a residential building having four or more living units where solid waste generated by the units is collected and loaded.

(5) The issuance of a building permit for four or more residential units, including detached single-family homes, where solid waste generated by the units is collected and loaded and serves all four or more units.

X  
(c) **Requirements For Recycling Areas Or Rooms In A Development Project.** All new construction development projects, all multiple-family residential development projects of four or more units where the addition of floor area is 25 percent or more, and all other development projects where the addition of floor area is 30 percent or more, shall provide an adequate Recycling Area or Room, as defined in Section 12.03 of this Code, for collecting and loading Recyclable Materials.

Any existing development project for which multiple building permits are issued within a 12-month period which results in the expansion of the existing development project beyond the above thresholds shall also provide a Recycling Area or Room.

The Recycling Area or Room shall be available for use by persons residing or employed on the property, but shall be kept secured from unauthorized entry by the general public. No payment shall be made to persons depositing Recyclable Materials and no processing of Recyclable Materials shall be permitted, except for periodic loading of materials into a vehicle for removal from the site. The following requirements shall also apply:

(1) It shall be the responsibility of the property owner and lessee to supply and maintain Recycling Area(s) or Room(s) and Recycling Receptacles that are adequate for the collection of all Recyclable Materials generated by the use(s) occupying the site:

(2) The Recycling Area or Room shall comply with the following standards for minimum size:

(i) for multiple-family residential uses of 20 or less dwelling units, or commercial, industrial or institutional uses with a total floor area of less than 3,000 square feet, the minimum Recycling Area or Room shall be 30 square feet;

(ii) for multiple-family residential uses of 21 to 50 dwelling units, or commercial, industrial or institutional uses having a total floor area of 3,001 to 7,500 square feet, the minimum Recycling Area or Room shall be 60 square feet;

(iii) for multiple-family residential uses of 51 or more dwelling units, or commercial, industrial or institutional uses having a total floor area of greater than 7,500 square feet, the minimum Recycling Area or Room shall be 100 square feet;

(iv) every Recycling Area or Room shall contain a minimum vertical space of at least eight feet;

(3) The Recycling Area or Room shall be of adequate size for the collection of all Recyclable Materials generated by the use(s) occupying the site, without such materials overflowing the area or forcing significant amounts of Recyclable Materials to be discarded as general refuse, or the Department of Building and Safety shall determine the area to be inadequate and require a larger space, even if the area provided exceeds the minimum requirements listed in Subparagraph 2 above;

(4) To encourage active participation in recycling to the maximum extent possible, each property owner, manager, or lessee shall inform all tenants and/or employees living or working on the property of the availability and location of the Recycling Area(s) or Room(s), the types of materials that are collected for recycling, that the recycling collection facilities are located on the property pursuant to state law requiring the diversion of a substantial portion of solid waste;

(5) Each property owner or lessee shall contract with a recycler or hauler for the pick-up of Recyclable Materials, separate from trash collection, when receptacles are full or every week, whichever occurs first;

(6) No toxic or hazardous material shall be stored in Recycling Areas or Rooms recycling or receptacles;

(7) All Recyclable Materials shall be placed or stored in Recycling Receptacles. Paper products and other lightweight materials shall be immediately placed into covered Recycling Receptacles when they are dropped off;

(8) On a daily basis the Recycling Area or Room shall be kept free of litter, debris, spillage, bugs, rodents, odors, and other similar undesirable hazards;

(9) The Recycling Area or Room shall be clearly identified by one or more signs designating it for recycling collection and loading;

(10) The Recycling Area or Room shall be available for use by persons residing or employed on the property, but shall be kept secured from unauthorized entry by the general public;

(11) Recycling Areas or Rooms shall not diminish the required number of parking spaces or impair traffic flow;

(12) Recycling Areas and Rooms shall be placed alongside of trash areas or rooms wherever possible. In all cases, recycling areas and rooms shall be separate from trash areas or rooms and shall comply with the following:

(i) Recycling Rooms shall comply with Section 91.6102 of this Code and must be equipped with an automatic sprinkler system pursuant to Section 57.21.04 A 3 of this Code.

(ii) outdoor Recycling Areas in commercial, industrial, or public facilities, or residential buildings having four or more living units shall be confined to the rear one-half of the lot and shall not exceed an area of 300 square feet.

(iii) outdoor Recycling Areas shall be completely enclosed by an eight-foot wall or chain link fence with wooden slates, concrete block, or similar construction (enclosure) with gates of the same height. No material shall exceed the height of the wall or fence. The enclosure shall be constructed with a concrete floor sloped to drain, and a water faucet for hose attachment shall be located adjacent to or within the enclosure. The enclosure shall be secured by a locking gate.

(iv) pursuant to Section 57.21.04 A 2 of the Code, outdoor Recycling Areas shall be located a minimum of 10 feet from any building or building opening except when located adjacent to a minimum one-hour wall and a minimum of 10 feet from any building opening.

**Sec. 23. URGENCY CLAUSE.** The City Council declares that this ordinance is required for the immediate protection of the public peace, health and safety of the community. Adverse impacts have been created by recycling centers, including noise from crushing, grinding or shredding of recyclable materials, breaking of glass; objectionable odors, spillage of recyclable materials; infestation of insects, rodents; the presence of trash, rubbish, debris, etc.; trash being blown off the site onto neighboring properties; exhaust fumes and dust from machinery processing recyclable materials; heavy vehicular traffic; and, in some instances, extended hours of operation which disturb nearby residents. Presence of recycling centers in or near residential neighborhoods has encouraged scavengers to pick through residents' trash waiting to be picked up at the curb by the City, thus resulting in trespassing on private property, the dumping of unwanted trash on lawns, streets and sidewalks, and the loss to the City of the revenue from these pilfered recyclables. This ordinance is needed to ensure that no new recycling areas are established without being required to go through the conditional use process, as established by this ordinance, which would ensure that such facilities, when located in close proximity to residential properties and other commercial uses, are compatible with the surrounding area. The ordinance also requires recycling areas in new and existing developments, as mandated by State law, and it is necessary to implement this as soon as possible. For these reasons, this ordinance shall become effective upon publication pursuant to Section 281 of the [REDACTED] City Charter.

Sec. 24. The City Clerk shall certify to the passage of this ordinance and cause the same to be published in some daily newspaper printed and published in the City of [REDACTED]

I hereby certify that the foregoing ordinance was passed by the Council of the City of [REDACTED] at its meeting of AUG - 6 1997

J. [REDACTED], City Clerk

B. [REDACTED]  
Deputy

Approved AUG 13 1997

[REDACTED]  
Mayor

Approved as to Form and Legality:

MAY 28 1997

[REDACTED] City Attorney

By [REDACTED]  
G. [REDACTED]  
Assistant City Attorney

Pursuant to Sec. 97.8 of the City Charter,  
disapproval of this ordinance recommended  
for the City Planning Commission \_\_\_\_\_

May 21, 1997

See attached report

[REDACTED]  
Director of Planning

File No. C.F. 94-0056; 91-2109 S1  
89-0515; 87-0882 S1

**ATTACHMENT #9**  
**Reuse Grant Resolution (for Exhibit H)**

WHEREAS, the State of California in 1989 enacted the California Integrated Waste Management Act, commonly known as AB 939, which established a hierarchy for solid waste management with the most preferred option being source reduction, which includes materials reuse; and

WHEREAS, the California Integrated Waste Management Board (CIWMB) at its October 26, 1999 meeting established a funding allocation for a major reuse initiative. A component of this initiative was funding to encourage California public agencies to promote and apply the concept of reuse; and

WHEREAS, the City of [redacted] recognizes that it is in the public interest to establish, implement and maintain programs to promote and apply the concept of reuse; and

WHEREAS, the Board of [redacted] would like to submit an application to the CIWMB for the "Reuse Assistance Grants Application - 3rd Cycle" to promote and apply the concept of reuse; and

WHEREAS, the City of [redacted] has begun a pilot program for a used oil recycler business web site locator to link the public with the appropriate recyclers of used oil; and

WHEREAS, the City of [redacted] would like to use the existing web site locator to match businesses and reuse organizations; donating materials; and

WHEREAS, if the proposal is selected, funds of up to \$50,000 will be used towards public outreach programs and the necessary materials to expand the existing pilot project to include a web site reuse organization locator for all types of materials. The matching funds required by the grant will be in staff salaries and materials; and

BE IT RESOLVED, that the City Council of the City of [redacted] does hereby authorize and empower the Director of [redacted], or his/her designee, to submit an application and if the grant is awarded, execute in the name of the City of [redacted], all necessary contracts, agreements and amendments hereto subject to approval as to form by the City Attorney for the purposes of securing the "Reuse Assistance Grants Application - 3rd Cycle" grant and to implement and carry out the purposes specified in the grant application.

PRESENTED BY

[redacted]  
Councilmember District

SECONDED BY

[redacted]

November 2, 2001

RESOL.  
ADOPTED

NOV 21 2001

[redacted] CITY COUNCIL

Date	From	Co.	Phone #	Fax #
11-28-01	[redacted]	[redacted]	[redacted]	[redacted]
Post-it® Fax Note	To	Co./Dept. /	Phone #	Fax #
7671	[redacted]	[redacted]	[redacted]	[redacted]

Mayer With File -14.7