



## Legislation Text

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**File #:** 24-255, **Version:** 1

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Adopt a Resolution Accepting and Authorizing the City Manager to Execute All Documents for a Grant Award in the Amount of \$234,647 from the Senate Bill 1383 Local Assistance Grant Program of the State of California Department of Resources Recycling and Recovery (CalRecycle) and to Appropriate this amount into account 594-3607; to Approve CalRecycle Grant Applications for All Individual Grants that the City of San Leandro is Eligible; and Authorize the City Manager to Execute all Documents Pertaining to This Resolution and Appropriate Funds for the Support and Implementation of Programs that Reduce Organic Waste Disposal

### **COUNCIL PRIORITY**

- Sustainability & Resiliency
- Community Engagement and Outreach
- Community & Business Development

### **SUMMARY AND RECOMMENDATIONS**

Staff recommends that the City Council adopt a resolution to accept and authorize the City Manager to execute a CalRecycle grant for SB1383 local assistance in the amount of \$234,647 and to appropriate the grant funds for the support and implementation of programs that reduce organic waste disposal. Staff also recommends the City Council authorize future CalRecycle grant applications to support, design, and implement programs to reduce organic waste disposal. This effort will advance Council Goal "E"--support and implement programs that advance the quality of life for residents of San Leandro - in addition to supporting the City's compliance with State regulations governing the flow of discarded materials. This resolution will also allow staff to access recently awarded funds to support the City's ongoing compliance with SB 1383.

### **BACKGROUND**

The Department of Resources and Recycling and Recovery (CalRecycle) provided the following for the Council's information regarding this recommended action:

In September 2016, then-Governor Edmund Brown Jr. set methane emissions reduction targets for California (SB 1383 Lara, Chapter 395, Statutes of 2016) in a statewide effort to reduce emissions of short-lived climate pollutants. The legislation requires California to decrease organic waste disposal by 75% from 2014 levels and increase edible food recovery by 20% by the year 2025 to help address climate change.

SB 1383 is an unfunded mandate with serious budget implications. Ultimately, the City is responsible

for complying with the extensive program requirements that include:

- Providing organics collection service to all residents and businesses
- Establishing an edible food recovery program for commercial food generators
- Conducting education and outreach to the community
- Procuring recyclable and recovered organic products
- Securing access to edible food recovery capacity, in partnership with the County
- Monitoring generators for compliance and conduct enforcement

The City of San Leandro received \$124,045 in grant funding from CalRecycle in 2021 to support SB 1383 implementation and compliance. Grant funds were expended in fiscal year 2021-2022 through fiscal year 2022-2023 to create educational materials for organic waste generators, provide outreach to multi-family properties and commercial businesses on SB 1383 requirements, purchase countertop kitchen pails, and acquire a subscription to Recyclist, a software database that assists with SB 1383 recordkeeping and reporting requirements.

CalRecycle is administering a second round of Local Assistance grant funding to further support the implementation of these robust regulations adopted by CalRecycle pursuant to Chapter 395, Statutes of 2016 and SB170 Budget Act of 2021. This second round of funding is a non-competitive grant program for local jurisdictions to assist with the implementation of the regulatory requirements associated with SB 1383, including but not limited to:

- Collection
- Edible Food Recovery
- Education and outreach (includes organic waste & edible food recovery)
- Enforcement and Inspection
- Program Evaluation/Gap Analysis
- Procurement Requirements
- Record Keeping

## **Analysis**

Under this authorization, the City of San Leandro will accept current funding from CalRecycle and apply for any additional funding available to support the City's SB 1383 compliance. Grant funds will be utilized to secure a consultant that will help identify any remaining SB 1383 compliance gaps and create a robust SB 1383 implementation plan to address the identified gaps, improve record keeping and reporting protocols and establish the City's Implementation Record, establish best practices for monitoring SB 1383 compliance activities designated to the City's franchise collector, analyze options to meet SB 1383's recovered organic product procurement requirements, and assist with the implementation of SB 1383-compliant Construction and Demolition programs and Environmentally Preferred Purchasing policies.

Grant funds will be used to develop implementation processes, monitoring protocols, and strategic plans to enable staff to meet SB1383 requirements. Future grant funds will be used to enhance current programs and may be directed towards developing SB 1383 enforcement plans which will include training of staff conducting enforcement activities and developing best management practices.

Moving forward with the grant will not only help the City meet its state-mandated requirements, but also help reach its Climate Action Plan goals on emissions reduction and waste management. Methane has four times the amount of impact on emissions than CO2 and reducing organic waste disposal is one step to limiting methane. Furthermore, encouraging better consumption habits will encourage resource conservation, water savings, and healthier environments.

CalRecycle could potentially fine jurisdictions from \$500 to \$10,000 per day for non-compliance depending on the violation.

The City's ongoing compliance with SB 1383 will continue to require significant amounts of staff time and resources. Currently, the Recycling Program has one full-time specialist, so inter-departmental collaboration and the development of external partnerships is crucial to ensure the City can continue to remain in compliance with SB 1383.

### **Previous Actions**

- Ordinance No. 2021-012: Adding Chapter 3-24, Organics Reductions and Recycling to the San Leandro Municipal Code to Incorporate an Ordinance of the Alameda County Waste Management Authority to Reduce the Amount of Organic and Recyclable Materials Deposited into Landfills, November 15, 2021
- Resolution No. 2022-037: Authorizing the City Manager to Approve a CalRecycle Grant Application in the Amount \$115,507 for SB 1383 Local Assistance Grant Program Funding for fiscal year 2021-2022 and 2022-2023
- Resolution No. 2023-539: Adopt a Resolution to Approve CalRecycle Grant Applications for all individual grants for which the City of San Leandro is eligible; and to Authorize the City Manager or Her Designee to Execute all Documents Pertaining to this Resolution and the Administration of the Grant Awards

### **Financial Impacts**

There will be no impact to the General Fund. This Grant Fund (Fund 594) project operates as a reimbursement, requiring the City to pay the costs upfront but then seek reimbursement up to the grant award amount.

### **Budget Authority**

Appropriation request by this action:

<u>Account No.</u>	<u>Source</u>	<u>Amount</u>
594-3607	CalRecycle Grant	\$234,647

**ATTACHMENT**

**Attachment A:** Resolution to Accept and Approve CalRecycle Grant Applications (SB 1383)

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