

Resolution Number: 2023-63

RESOLUTION OF THE CITY OF GRASS VALLEY ADOPTING A MEMORANDUM OF UNDERSTANDING (“MOU”) BETWEEN THE COUNTY OF NEVADA (“COUNTY”) AND THE CITY OF GRASS VALLEY (“CITY”) REGARDING IMPLEMENTATION OF SB 1383

WHEREAS, SB 1383 (Chapter 395, Statutes of 2016) requires the California Department of Resources Recycling and Recovery (CalRecycle) to adopt regulations to reduce organic waste by 50 percent from its 2014 baseline level by 2020 and 75 percent by 2025, which regulations have been finalized and are now in effect (Division 7 of Title 14 of the California Code of Regulations) (the “SB 1383 Regulations”); and

WHEREAS, the SB 1383 Regulations require cities and counties, among other things, to implement programs requiring organic waste generators and waste haulers to meet minimum standards for organic waste collection services, inspect waste containers for prohibited contamination of materials, provide education and outreach information to organic waste generators, report to CalRecycle on compliance with the SB 1383 Regulations, and maintain records of compliance with the SB 1383 Regulations; and

WHEREAS, Section 18981.2(b)(2) of the SB 1383 Regulations authorizes the City to enter into a Memorandum of Understanding (“MOU”) with the County to fulfill its responsibilities under SB 1383; and

WHEREAS, pursuant to Section 18981.2(c), the City remains ultimately responsible for compliance with the requirements of the SB 1383 Regulations as to the City’s territory; and

WHEREAS, the Environmental Health Department of Nevada County is authorized to annually inspect commercial businesses in the City pursuant to Health & Safety Code sections 25511, 26250, 112040, and 114390; and

WHEREAS, the Parties wish to enter into this MOU to establish roles and responsibilities to implement the SB 1383 Regulations the County will assume on the City’s behalf under this MOU’s terms and conditions.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRASS VALLEY, as follows:

1. The above recitals are true and correct and are a substantive part of this Resolution.
2. The City of Grass Valley approved the attached Memorandum of Understanding with County of Nevada regarding implementation of SB 1383.

Approved and adopted the 28th day of November 2023.

I, the undersigned, hereby certify that the foregoing Resolution Number 2023 - 63 was duly adopted by the City Council following a roll call vote:

AYES: Councilmember
NOES: Councilmember
ABSENT: Councilmember
ABSTAIN: Councilmember

ATTEST:

Jan Arbuckle, Mayor

Taylor Day, City Clerk

APPROVED AS TO FORM:

Michael G. Colantuono, City Attorney