

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
RIALTO REQUESTING THAT THE STATE OF CALIFORNIA  
LEGISLATURE DELAY IMPLEMENTATION OF SB 1383 BY  
FIVE YEARS.**

**WHEREAS**, the Legislature of the State of California, by enactment of the California Integrated Waste Management Act of 1989, (“AB 939” or the “Act”) (codified at Public Resources Code §§ 4000 et seq.) established a solid waste management process which requires cities and other local jurisdictions to implement plans for source reduction, reuse and recycling as integrated waste management practices for solid waste attributed to sources within their respective jurisdictions; and

**WHEREAS**, Senate Bill 1383 (2015-2016), the short-lived climate pollutants bill, builds on existing legislation. The stated purpose of SB 1383 is to reduce organic waste disposal, recover edible food waste from the waste stream and reduce methane emissions. The goal of SB 1383 is to reduce greenhouse gas emissions to 40% below 1990 levels by the year 2030. To achieve this, the target is to reduce organic waste that ends up in the landfill by 50% by the year 2020 and 75% by the year 2025. In addition to reducing landfilled organics by 75%, the State will also be required to recover edible food that is currently thrown away by 20% through programs such as establishing edible food recovery programs; and

**WHEREAS**, over the past several years, CalRecycle has been developing regulations to implement statewide organic waste diversion goals set forth in SB 1383 (“Regulations”); and

**WHEREAS**, although the Regulations have been in development for several years, they were not finalized until November 2020, only giving local governments thirteen months to fully implement various facets of the regulations; and

**WHEREAS**, local government currently have until January 1, 2022, to implement the sweeping Regulations; and

1       **WHEREAS**, the timelines contemplated in SB 1383 and the Regulations do not take  
2 into consideration the COVID-19 pandemic, the associated shifting of city staff and resources  
3 to protect public health and safety, and the economic hardship of the pandemic on residents  
4 and businesses in our communities; and

5       **WHEREAS**, to implement SB 1383 and the Regulations, the City may need to  
6 significantly increase the rates on residential and commercial solid waste services; and

7       **WHEREAS**, as a result of the pandemic and economic downturn, many residents and  
8 businesses in the City are in severe economic distress. Residents are on the verge of losing  
9 their homes, many businesses have closed or are on the verge of closing, and residents are  
10 recovering from the loss of family members who contributed to the financial wellbeing of the  
11 household; and

12       **WHEREAS**, a delay in the implementation of SB 1383 and the Regulations to allow  
13 sufficient time for the City's residential and commercial solid waste customers to recover  
14 from the economic impacts of the COVID-19 pandemic is essential to the economic health of  
15 the City.

16       **NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RIALTO DOES**  
17 **HEREBY FIND, DETERMINE, AND RESOLVE AS FOLLOWS:**

18       **Section 1:**   **Recitals.** That the recitals set forth hereinabove are true and correct in  
19 all respects, and are incorporated herein.

20       **Section 2:**   **Delay in Implementing SB 1383.** Based on the impacts of the COVID-  
21 19 pandemic on the residents and businesses within the City of Rialto, and the need to  
22 ensure the economic welfare of the City's residents and businesses, the City of Rialto is  
23 requesting that the State Legislature act to delay the implementation of SB 1383 and  
24 Regulations by five (5) years.

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**WHEREFORE**, this Resolution is passed, approved and adopted this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
DEBORAH ROBERTSON, Mayor

**ATTEST:**

\_\_\_\_\_  
BARBARA McGEE, City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
ERIC VAIL, Esq., City Attorney

1 **STATE OF CALIFORNIA** )  
2 **COUNTY OF SAN BERNARDINO** ) ss  
3 **CITY OF RIALTO** )

4 I, Barbara McGee, City Clerk of the City of Rialto, do hereby certify that the foregoing  
5 Resolution No. \_\_\_\_ was duly passed and adopted at a regular meeting of the City Council of  
6 the City of Rialto held on the \_\_\_\_ day of \_\_\_\_\_, 2021.

7 Upon motion of Council Member \_\_\_\_\_, seconded by Council Member  
8 \_\_\_\_\_, the foregoing Resolution No. \_\_\_\_ was duly passed and adopted.

9 Vote on the motion:

10 AYES:

11 NOES:

12 ABSENT:

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14 IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City  
15 of Rialto this \_\_\_\_ day of \_\_\_\_\_, 2019.

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18 BARBARA McGEE, CITY CLERK  
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