



## Legislation Text

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**SUBJECT:** Adopt a Resolution to Adhere to the Merced County Regional Waste Management Authority (MCRWMA) Flow Control Policy Regarding Organic Waste Disposal

### REPORT IN BRIEF

Considers adopting a Resolution authorizing agreement to the Merced County Regional Waste Management Authority's Flow Control Policy regarding organic waste disposal to aid in the Senate Bill (SB) 1383 compliance.

### RECOMMENDATION

**City Council** - Adopt a motion adopting **Resolution 2023-13**, Resolution of the City Council of the City of Merced, California, to Adhere to the Merced County Regional Waste Management Authority (MCRWMA) Flow Control Policy.

### ALTERNATIVES

1. Approve as recommended by staff; or,
2. Refer to staff for reconsideration of specific items (specific items to be addressed in the motion); or,
3. Deny; or,
4. Continue to a future meeting (date and time to be specified in the motion).

### AUTHORITY

Public Resources Code Section 42652.5(d) and Title 14 California Code of Regulations.

### CITY COUNCIL PRIORITIES

As provided for in the 2022-23 Adopted Budget.

### DISCUSSION

The Merced County Association of Governments (MCAG) was formed to operate as a Joint Powers Authority (JPA) by the seven city and county agencies that make up Merced County to oversee regional issues such as transportation, solid waste and air quality. As such, MCAG governs the Merced County Regional Waste Management Authority (MCRWMA) which is our county landfill. The Solid Waste Division of the Public Works Department is the municipal hauler of solid waste for the City of Merced.

The State of California has solid waste diversion regulations that each jurisdiction has to meet regarding recycling and organic material disposal. Most requirements focus on diverting waste out of the general waste stream and reduction of how much material is landfilled in a large effort to reduce

Green House Gas emissions. In 2003, the City added recycling and green waste diversion to the residential customers with optional recycling services to the commercial customers. In 2012, AB341 Mandatory Commercial Recycling was put into action, requiring commercial businesses to participate in a recycling program. In 2017, AB1826 Mandatory Commercial Organic Recycling required businesses participate in an organic waste diversion program with multi-units having to have green waste diversion and commercial businesses to have both green waste and food waste diverted from the general waste stream. The most recent addition to waste diversion requirements, SB1383 Short-lived Climate Pollutants (SLCP): Organic Waste Reductions, requires implementation of organic waste diversion and food recovery programs to both residential and commercial customers.

City staff is working diligently towards meeting the requirements set forth in SB1383; including the requirement that we have an organic waste diversion program which has the organic waste being processed and sold to renewable sources such as manure, biofuel, and the purchase of recycled content products like paper. To fulfill requirements for organic waste diversion processing, the MCRWMA acting on behalf of our JPA, engaged HF&H Consultants to evaluate services to find the best possible avenue for organic waste diversion processing and aid in the Request for Proposals (RFP) process to secure such services for the jurisdiction.

In conjunction with securing organic waste processing services, the selected proposer facility will need a minimum amount of organic material to operate at the proposed rates (proposed rates can be found in attachment 3). A Flow Control Policy will require that waste generated within the jurisdiction will be brought to MCRWMA for processing and disposal, thus guaranteeing revenue with the flow of waste through the facilities. The MCRWMA has a Flow Control Policy in place per their Resolution No. 2021/02-18-01 (attachment 4) and has requested the Merced City Council adopt a resolution to adhere to MCRWMA's Flow Control Policy.

The City of Merced is a major contributor to the Highway 59 Landfill. City staff has participated in the process of securing organic processing services at the landfill and is in support of this request.

## **IMPACT ON CITY RESOURCES**

Budgeted tonnage costs will be affected in 2023/24 budget per proposed processing rates. Residential green/organic waste rates will be at a deficit, whereas Commercial food waste-only rates were accounted for in the last Solid Waste Rate Study through Fiscal Year 2023/2024.

## **ATTACHMENTS**

1. Resolution No. 2023-13
2. City of Merced SB1383 presentation
3. HF&H Consultant Presentation
4. Merced County Regional Waste Management Authority Resolution No. 2021/02-18-01