



STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of April 14, 2026

TO: Mayor and Members of the City Council

VIA: Patrick Tang, Interim City Manager

SUBMITTED BY: Glenn Dombeck, Public Works Director/City Engineer

SUBJECT: Adopt a resolution of the City Council of the City of Hercules approving a Memorandum of Understanding (MOU) between West Contra Costa Integrated Waste Management Authority (RecycleMore), a Joint Powers Authority, and the City of Hercules regarding implementation of Senate Bill 1383 regulatory requirements; and authorizing the City Manager to execute the MOU

RECOMMENDED ACTION:

Approve the MOU between the City of Hercules and RecycleMore to implement SB 1383 requirements, and authorize the City Manager to execute the MOU.

BACKGROUND:

SB 1383 (Lara, 2016) set a statewide goal for the reduction of certain emissions through diversion of organic waste away from landfills, with goals to reduce organic waste landfill disposal by 75% by 2025. Jurisdictions are required under SB 1383 to provide organic waste services, including but not limited to organic waste collection, edible food recovery programs, education and outreach, and monitoring and enforcement. SB 1383 designates the California Department of Resources Recycling and Recovery (CalRecycle) as the regulatory authority to oversee local programs implemented to achieve these organic waste disposal reduction targets.

The City of Hercules is a member agency of the West Contra Costa Integrated Waste Management Authority, a California joint powers authority (RecycleMore). RecycleMore is responsible for implementing most State-mandated recycling and organics programs

in West Contra Costa County and is willing to expand its current scope to achieve compliance with the new requirements of SB 1383 on behalf of its member agencies.

ANALYSIS:

The City of Hercules has been working with RecycleMore staff to update the Memorandum of Understanding (MOU) between the City of Hercules and RecycleMore to establish roles, responsibilities, and requirements regarding the implementation of SB 1383 as required by the State of California and regulated by CalRecycle. The proposed MOU retains the same overall structure and obligations of the proposed MOU. RecycleMore is required to implement the following requirements of SB 1383:

1. Education and Outreach
2. Reporting and Recordkeeping
3. Edible Food Recovery Programs
4. Organic Waste Processing Capacity and Diversion Planning
5. Receipt and Investigation of Complaints
6. Inspection and Enforcement Program
7. Managing Waiver Policy

The City of Hercules is required to:

1. Adopt enforceable Ordinance(s) (*completed in 2021*)
2. Require haulers to implement SB 1383 compliance elements (i.e., collection, containers, monitoring, etc.) (*completed as part of the Collection Agreement*)
3. Container labels compliant with SB 1383 (*completed as part of the Collection Agreement*)
4. Approve SB 1383 Waivers (*ongoing*)
5. Develop and implement an Environmentally Preferable Purchasing Policy compliant with SB 1383 (*ongoing*)
6. Procure organic waste products in compliance with SB 1383 (*ongoing*)
7. Report and record-keep for City-required obligations (*ongoing*)
8. Various enforcement issues (*ongoing*)

CalRecycle conducts oversight and enforcement on local jurisdictions to achieve SB 1383 requirements. The City of Hercules is thus subject to CalRecycle compliance evaluations. The proposed MOU enables RecycleMore to leverage its specialized expertise to comply with the new SB 1383 requirements while imposing minimal strain on the City's already limited staffing resources.

CalRecycle has requested that the City and RecycleMore finalize this MOU as the City is expected to be audited for SB 1383 compliance in 2026. The City expects RecycleMore to approve this SB 1383 MOU at its May 2026 Board meeting.

FISCAL IMPACT:

The financial resources allocated for the services specified in the MOU will be primarily obtained from the pre-established Solid Waste post-collection rates and franchise fees generated by the Solid Waste and Recycling. Therefore, it is important to note that there is no financial impact to the City at this time, as these funds are already in place to support the necessary operations.

ATTACHMENTS:

Attachment 1	Resolution
Attachment 2	Group Program Inspection Agreement (Final Draft)