



MAYOR DARCY PAUL
dpaul@cupertino.org

CITY HALL
10300 TORRE AVENUE • CUPERTINO, CA 95014-3255
TELEPHONE: (408) 777-3195 • FAX: (408) 777-3366
CUPERTINO.ORG

June 3, 2021

The Honorable John Laird
California State Senate, 17th District
State Capitol, Room 4040
Sacramento, CA 95814

RE: SB 619 (Laird) – SUPPORT

Dear Senator Laird,

On behalf of the City of Cupertino, I would like to express our support for SB 619, your measure which would help local governments implement SB 1383 (2016) and the subsequent CalRecycle regulations. Specifically, SB 619 would allow, until January 1, 2023, for CalRecycle to only impose a penalty for non-compliance with the SB 1383 regulations if it finds that the jurisdiction did not make a reasonable effort to comply with the regulations.

Over the past several years, CalRecycle has been developing sweeping regulations to implement statewide organic waste diversion goals set forth in SB 1383. SB 619 seeks to help local governments implement SB 1383 by allowing for additional time and flexibility to comply with the regulations.

Currently, local governments have until January 1, 2022, to implement the sweeping requirements outlined in the regulations. Additional time and flexibility to comply with the regulations is needed to take into account when the regulations were finalized, the outbreak of COVID-19, and the effects these regulations will have on city residents and businesses. Although the regulations had 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.

The timelines contemplated in SB 1383, and the subsequent regulations, also do not take into account the COVID-19 pandemic and the associated shifting of city staff and resources to protect public health and safety. Cities have been on the front lines helping ensure that our residents are safe and critical city operations remain operational.

Lastly, given that the regulations do not have a source of state funding to implement, the burden of paying for the costs associated with implementing the program will fall to our residents and our businesses. With all of the economic hardships facing cities, residents, and businesses, more time and flexibly implementing the regulations will be needed to soften the blow of increased solid waste rates.

Cities are working diligently to implement SB 1383 and are committed to fully implementing the program. However, given the reasons outlined above, additional time and flexibility is needed in order to avoid serious challenges. SB 619 will ensure that cities are not penalized for non-compliance as we work to implement programs pursuant to the recently enacted regulations.

It is for these reasons that the City supports SB 619.

Sincerely,



Darcy Paul
Mayor
City of Cupertino

cc: Senator Dave Cortese
Assemblymember Evan Low
Assemblymember Marc Berman