

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Department of Environmental Resources

BOARD AGENDA # *B-14

Urgent

Routine

AGENDA DATE June 29, 2010

CEO Concurs with Recommendation YES NO

4/5 Vote Required YES NO

(Information Attached)

SUBJECT:

Approval to Apply for Used Oil Payment Program Funds from the California Department of Resources Recycling and Recovery for Fiscal Years 2010-2011 through 2011-2012 to Promote Used Oil and Used Oil Filter Recycling

STAFF RECOMMENDATIONS:

1. Adopt a Resolution authorizing the Director of the Department of Environmental Resources, or her designee, to apply for Used Oil Payment Program Funds from the California Department of Resources Recycling and Recovery, for fiscal years 2010-2011 through 2011-2012 to promote used oil and used oil filter recycling.
2. Authorize the submittal of a joint funding request to the California Department of Resources Recycling and Recovery for the Used Oil Payment Program on behalf of the cities of Hughson, Newman, Oakdale, Patterson, Riverbank, Turlock, and Waterford, and the unincorporated areas of Stanislaus County.

FISCAL IMPACT:

Approval of this item will provide approximately \$79,000 in fiscal years 2010-2011 through 2011-2012 to the Department of Environmental Resources for expenses incurred to promote and expand used oil and filter recycling opportunities in Stanislaus County and the cities of Hughson, Newman, Oakdale, Patterson, Riverbank, Turlock, and Waterford. The exact amount of the award is not yet known, but is anticipated to not exceed 10% in additional funds or \$86,900.

(Continued on next page)

BOARD ACTION AS FOLLOWS:

No. 2010-421

On motion of Supervisor Chiesa, Seconded by Supervisor O'Brien
and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Monteith, DeMartini, and Chairman Grover

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

4) _____ Other:

MOTION:



ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

Approval to Apply for Used Oil Payment Program Funds from the California Department of Resources Recycling and Recovery for Fiscal Years 2010-2011 through 2011-2012 to Promote Used Oil and Used Oil Filter Recycling

Page 2

FISCAL IMPACT (Continued):

This funding is in addition to \$54,968 in Used Oil Block Grant funding which the Department was awarded in March 2010. The total funding, therefore, which will be available for use on used oil-related programs in fiscal years 2010-2011 through 2011-2012, would be up to an estimated maximum of \$141,868.

DISCUSSION:

The California Oil Recycling Act (Act) provides for, among other things, funding to assist local governments in developing and maintaining on-going used oil and used oil filter collection/recycling programs for their communities. In 2009, Senate Bill 546 (Lowenthal) was enacted which made various changes to the Act, including: changing the funding from a reimbursable grant program (formerly known as the Used Oil Block Grant Program, or UBG) to a payment program (now referred to as the Used Oil Payment Program, or OPP), increasing the statewide funding from \$10 million to \$11 million per year, and encouraging local governments to use approximately 10 percent of their individual funding on the collection and recycling of used oil filters.

The OPP is non-competitive and provides funds to establish and maintain used oil and used oil filter collection/recycling programs. Actual budget amounts are determined annually as part of the State budget process. Allocation to Payment Recipients is calculated on a per capita basis using the Department of Finance's population statistics. Programs paid for by this funding will help Stanislaus County and the cities within the regional group in meeting the goals and objectives of their Household Hazardous Waste (HHW) Elements such as continuing educational efforts aimed at diverting HHW from the waste stream and expanding used oil and used oil filter recycling opportunities.

On July 21, 2009, the Board of Supervisors granted approval to the Department of Environmental Resources (Department) to apply for the 15th Cycle UBG for fiscal years 2009-2010 to 2011-2012, on behalf of itself and the following participating cities: Hughson, Newman, Oakdale, Patterson, Riverbank, Turlock, and Waterford. On March 30, 2010, the Board approved the Department to accept the award of \$54,968 for the UBG, but on May 25, 2010, the California Department of Resources Recycling and Recovery (CalRecycle) announced the elimination of the UBG program. The awarded UBG funds, however, will remain intact through June 30, 2012, and must be spent by the Department and reimbursed by CalRecycle by June 30, 2012.

With the onset of OPP as the replacement for UBG, a separate application is required which will provide additional funds. In this current application period, approximately \$79,000 is available to the County and the participating cities to continue promotion of used oil and used oil filter recycling. The OPP term will be for 24 months with all OPP funds to be expended by the end of the term. The first term will run from July 1, 2010, through June 30, 2012, concurrently with the final term of the UBG program.

Approval to Apply for Used Oil Payment Program Funds from the California Department of Resources Recycling and Recovery for Fiscal Years 2010-2011 through 2011-2012 to Promote Used Oil and Used Oil Filter Recycling
Page 3

The on-line application for these additional funds, however, is not expected to be available until June 15, 2010, and will be due to CalRecycle no later than June 30, 2010, thus providing an application period of only 15 days. As of the date of this writing, the Department has received written letters of support from five of the seven participating cities, and favorable verbal confirmations from the remaining two, to apply for the OPP funds on their behalf. Despite this short timeline, the Department believes it will be able to obtain the remaining letters and submit the application with all supporting documents by the June 30, 2010, deadline.

POLICY ISSUE:

The Board of Supervisors should determine if applying for Used Oil Payment Program funds from the California Department of Resources Recycling and Recovery is consistent with the Board's priorities of a safe community, a healthy community, effective partnerships, and the efficient delivery of public services. Such funding would assist the County and its partner cities in their efforts to increase used oil and filter recycling efforts throughout the County.

STAFFING IMPACTS:

There are no staffing impacts at this time.

CONTACT PERSON:

Sonya K. Harrigfeld, Director of Environmental Resources Telephone: (209) 525-6770



June 2, 2010

Department of Resources Recycling and Recovery
CalRecycle
Used Oil Payment Plan Unit
1001 "I" Street
P.O. Box 4025
Sacramento, CA 95812-4025



RE: Authorization Letter – Used Oil Payment Plan

Dear CalRecycle:

The City of Hughson authorizes the Stanislaus County Department of Environmental Resources to submit to the Department of Resources Recycling and Recovery, a regional application for the Used Oil Payment Program (OPP), fiscal year 2011/2012 on the City's behalf as an OPP participant.

It is also agreed that the Stanislaus County Department of Environmental Resources is hereby designated as the applicant and as the lead agency for the OPP.

Sincerely,

Thomas Clark
Acting City Manager



June 2, 2010

Department of Resources Recycling and Recovery
CalRecycle
Used Oil Payment Plan Unit
1001 "I" Street
P.O. Box 4025
Sacramento, CA 95812-4025



RE: Authorization Letter – Used Oil Payment Plan

Dear CalRecycle:

The City of Newman authorizes the Stanislaus County Department of Environmental Resources to submit to the Department of Resources Recycling and Recovery, a regional application for the Used Oil Payment Program (OPP), fiscal year 2011/2012 on the City's behalf as an OPP participant. It is also agreed that the Stanislaus County Department of Environmental Resources as the applicant is hereby designated as the lead agency for the OPP.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael E. Holland'.

Michael E. Holland
City Manager

Cc: Denise London, Stanislaus County



Office of the City Manager

280 North Third Avenue • Oakdale, CA 95361 • Ph: (209) 845-3571 • Fax: (209) 847-6834

FINANCE
DEPARTMENT
280 N. Third Ave
Oakdale, CA 95361
(209) 845-3571
(209) 847-6834 Fax

COMMUNITY
DEVELOPMENT
DEPARTMENT
455 S. Fifth Ave
Oakdale, CA 95361
(209) 845-3625
(209) 845-8903 Fax

FIRE
DEPARTMENT
Station No. 1:
325 East "G" St.
Station No. 2:
450 S. Willowood Dr
Oakdale, CA 95361
(209) 845-3660
(209) 847-3907 Fax

PARKS &
RECREATION
DEPARTMENT
325 East "G" St.
Oakdale, CA 95361
(209) 845-3591
(209) 845-3692

PUBLIC WORKS
DEPARTMENT
455 S. Fifth Ave
Oakdale, CA 95361
(209) 845-3600
(209) 848-4344

POLICE
DEPARTMENT
215 N. Second Ave.
Oakdale, CA 95361
(209) 847-2231
(209) 847-3790 Fax

CITY OF OAKDALE
WEBSITE
www.ci.oakdale.ca.us
E-MAIL
info@ci.oakdale.ca.us

June 2, 2010

Department of Resources Recycling and Recovery
CalRecycle
Used Oil Payment Plan Unit
1001 "I" Street
P.O. Box 4025
Sacramento, CA 95812-4025

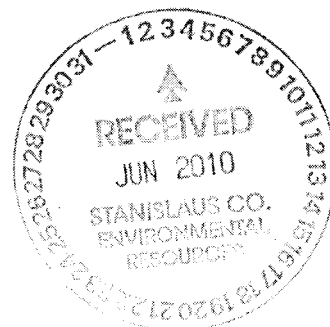
RE: Authorization Letter – Used Oil Payment Plan

Dear CalRecycle:

The City of Oakdale authorizes the Stanislaus County Department of Environmental Resources to submit to the Department of Resources Recycling and Recovery, a regional application for the Used Oil Payment Program (OPP), fiscal year 2011/2012 on the City's behalf as an OPP participant. It is also agreed that the Stanislaus County Department of Environmental Resources as the applicant is hereby designated as the lead agency for the OPP.

Sincerely,

Steve Hallam
City Manager





City of Patterson

1 Plaza
P.O. Box 667
Patterson, CA 95363
Phone (209) 895-8000 Fax (209) 895-8019



June 2, 2010

Department of Resources Recycling and Recovery
CalRecycle
Used Oil Payment Plan Unit
1001 "I" Street
P.O. Box 4025
Sacramento, CA 95812-4025

RE: Authorization Letter – Used Oil Payment Plan

Dear CalRecycle:

The City of Patterson authorizes the Stanislaus County Department of Environmental Resources to submit to the Department of Resources Recycling and Recovery, a regional application for the Used Oil Payment Program (OPP), fiscal year 2011/2012 on the City's behalf as an OPP participant. It is also agreed that the Stanislaus County Department of Environmental Resources as the applicant is hereby designated as the lead agency for the OPP.

Sincerely,

City of Patterson

Bryan Whitemyer
Acting City Manager

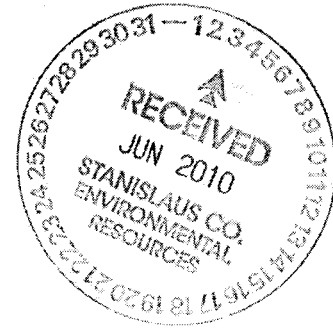


Phone 209.874.2328

312 "E" Street
P.O. Box 199
Waterford, CA 95386

www.cityofwaterford.org

June 2, 2010



Charlie Goeken
Mayor

Jose Aldaco
Vice-Mayor

Michael Van Winkle
Council Member

Ken Krause
Council Member

Murray Day
Council Member

Department of Resources Recycling and Recovery
CalRecycle
Used Oil Payment Plan Unit
1001 "I" Street
PO Box 4025
Sacramento, CA 95812-4025

RE: Authorization Letter – Used Oil Payment Plan

Dear CalRecycle:

The City of Waterford authorizes the Stanislaus County Department of Environmental Resources to submit to the Department of Resources Recycling and Recovery, a regional application for the Used Oil Payment Program (OPP), fiscal year 2011/2012 on the City's behalf as an OPP participant. It is also agreed that the Stanislaus County Department of Environmental Resources as the applicant is hereby designated as the lead agency for the OPP.

Sincerely,

Charles E. Deschenes
City Administrator

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
STATE OF CALIFORNIA

Date: June 29, 2010

No. 2010-421

On motion of Supervisor Chiesa Seconded by Supervisor O'Brien
and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Monteith, DeMartini, and Chairman Grover

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

THE FOLLOWING RESOLUTION WAS ADOPTED:

Item # *B-14

IN RE: APPLYING FOR USED OIL PAYMENT PROGRAM

WHEREAS, pursuant to Public Resources Code § 48690 the California Department of Resources Recycling and Recovery (CalRecycle), formerly known as the California Integrated Waste Management Board, has established the Used Oil Payment Program (OPP) to make payments to qualifying jurisdictions for implementation of their used oil programs; and

WHEREAS, in furtherance of this authority CalRecycle is required to establish procedures governing the administration of the Used Oil Payment Program; and

WHEREAS, the Used Oil Payment Program allows regional participation; and

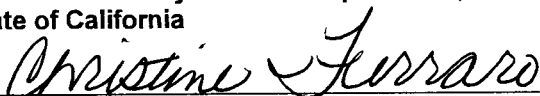
WHEREAS, CalRecycle's procedures for administering the Used Oil Payment Program require, among other things, a regional applicant's governing body to declare by resolution certain authorizations related to the administration of the Used Oil Payment Program.

NOW, THEREFORE, BE IT RESOLVED that the Stanislaus County Board of Supervisors authorizes Stanislaus County to submit a Used Oil Payment Program regional application on behalf of itself as lead Agency and the participating agencies/jurisdictions (see attached listing); and

BE IT FURTHER RESOLVED that the Director, or his/her designee, is hereby authorized and empowered to execute in the name of Stanislaus County all documents, including but not limited to, applications, agreements, annual reports including expenditure reports and amendments necessary to secure said payments to support our Used Oil Collection Program; and

BE IT FURTHER RESOLVED that this authorization is effective until rescinded by the Stanislaus County Board of Supervisors.

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk
Stanislaus County Board of Supervisors,
State of California



File No.

**Participating jurisdictions for the Used Oil payment Program (OPP)
Fiscal Year 2011-2012**

Lead Jurisdiction: Stanislaus County

Participating Jurisdictions:

Hughson
P.O. Box 9
Hughson, CA 95326

Thom Clark
(209) 883-4054

Newman
P.O. Box 787
Newman, CA 95360

Michael Holland
(209) 862-3725

Oakdale
280 N. 3rd Avenue
Oakdale, CA 95361

Steven Hallam
(209) 847-3031

Patterson
P.O. Box 667
Patterson, CA 95363

Monica Sandoval
(209)895-8068

Riverbank
6707 Third Street
Riverbank, CA 95367

Richard P. Holmer
(209) 869-7101

Turlock
156 S. Broadway, Ste. 270
Turlock, CA 95380

Roy Wasden
(209) 668-5540

Waterford
P.O. Box 199
Waterford, CA 95386

Chuck Deschenes
(209) 874-2328