



# STAFF REPORT

ITEM NO. 4

DATE: JULY 17, 2012  
TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS  
FROM: ROD FOSTER, CITY MANAGER *R. Foster*  
PREPARED BY: AMER JAKHER, P.E., PUBLIC WORKS DIRECTOR *AJ*  
SUBJECT: USED OIL PAYMENT PROGRAM FISCAL YEAR 2012/2013

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## RECOMMENDED ACTION

It is recommended that the City Council approve Resolution No. R-43-12, authorizing the County of San Bernardino Household Hazardous Waste Department to be the lead agency in the Used Oil Payment Program Fiscal Year 2012/2013 and authorizing the City Manager, or his or her designee to sign the authorization letter.

## GOAL STATEMENT

The proposed action will support the City's goal to improve the quality of life through recycling programs for Colton residents and business owners.

## BACKGROUND

The California Oil Recycling Enhancement Act (Act) (Statutes of 1991, Chapter 817) mandates CalRecycle, formerly the California Integrated Waste Management Board (CIWMB), to provide annual payment programs to local governments for establishing local collection programs that encourage recycling of used oil and filters. The Used Oil Payment Program (OPP) is a fund allocated on a per capita basis established by the Department of State Finance's population statistics. Because payments are not competitive, local governments need only to submit a timely, completed application package and meet the program's eligibility and reporting requirements to receive the payment. In Fiscal Year 2012/2013 the City's share amounted to \$7,400.

Applicants are required to have a used oil collection program, which includes at least one certified used oil collection center per 100,000 residents and/or a curbside program that includes used oil collection at least monthly, and a public education program that informs the public of locally available used oil recycling opportunities.

The City of Colton has collaborated with the County of San Bernardino Household Hazardous Waste Department and combined their efforts for recycling and waste reduction. The County of

San Bernardino has taken the lead to promote recycling of used oil and filters within the County of San Bernardino and the City of Colton.

### **ISSUES/ANALYSIS**

In Fiscal Year 2011/2012, the County submitted a regional application for the OPP and administered the OPP on behalf of the City. The County ensured that the City received educational and promotional information packets on recycling for the public. They ensured that there is a curbside and collection program available to City residents as required by the grant. Additionally, they provide recycling material such as oil containers, oil disposal packets and hazardous waste disposal containers to the City of Colton residents.

In allowing the County to be the lead agency for the administration of these funds, the City must authorize the County to submit any and all applications, reporting documents, and allow them to implement and administer the program. The County has more knowledge and resources available to them regarding disposal and recycling of hazardous waste allowing the program to be successful. Staff recommends that the County be the lead agency in the submission process of the grant application, grant reporting and grant compliance.

### **FISCAL IMPACTS**

None. City share will be the full amount of the grant. It is more economical to allow the County to provide this service.

### **ALTERNATIVES**

1. Provide alternative direction to staff.

### **ATTACHMENTS**

1. Resolution No. R-43-12
2. Exhibit A – Request of Authorization Letter from the County
3. Exhibit B – Authorization Letter

RESOLUTION NO. R-43-12

Authorizing the County of San Bernardino to be the Lead Agency in the Used Oil Payment Program FY 2012/2013

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**RESOLUTION NO. R-43-12**

**RESOLUTION AUTHORIZING THE COUNTY OF SAN  
BERNARDINO HOUSEHOLD HAZARDOUS WASTE  
DEPARTMENT TO BE THE LEAD AGENCY IN THE USE  
OIL PAYMENT PROGRAM FISCAL YEAR 2012/2013**

**WHEREAS**, pursuant to Public Resources Code § 48690 the Department of Resources Recycling and Recovery (CalRecycle), formerly known as the California Integrated Waste Management Board, has established the Used Oil Payment Program 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 participant to formally authorization certain matters related to the application and administration of the Used Oil Payment Program by its designated Lead Agency.

**NOW, THEREFORE, THE CITY COUNCIL DO HEREBY RESOLVED THAT**

**Section 1** That the City of Colton designates the County of San Bernardino Household Hazardous Waste Department to act as the Lead Agency and authorizes it to submit a Used Oil Payment Program regional application on behalf of itself as Lead Agency and The City of Colton. The County of San Bernardino House Hold Hazardous Waste Department is hereby authorized and empowered.

**Section 2** Authorize the City Manager and his or her designee to execute the authorization letter for the Used Oil Payment Program.

**PASSED, APPROVED AND ADOPTED** this 17<sup>th</sup> day of July 2012.

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SARAH S. ZAMORA  
Mayor

ATTEST: \_\_\_\_\_  
EILEEN C. GOMEZ, CMC  
City Clerk

EXHIBIT "A"

Request of Authorization Letter from the County of San  
Bernardino

# SAN BERNARDINO COUNTY FIRE DEPARTMENT



COUNTY OF SAN BERNARDINO

HOUSEHOLD HAZARDOUS WASTE PROGRAM  
Conditionally Exempt Small Quantity Generator Program  
2824 East "W" Street, Building 302 • San Bernardino, CA 92415-0799  
(909) 382-5401 • Fax (909) 382-5413

MARK A. HARTWIG  
Fire Chief

City of Colton  
Attn: Amer Jakher, Public Works Director  
160 S. 10<sup>th</sup> Street  
Colton, CA 92324

Dear Amer:

## Subject: Request for Authorization Letters, Used Oil Payment Program

It is time to apply for the California Department of Resources, Recycling and Recovery's (CalRecycle) Used Oil Payment Program (OPP), Fiscal Year 2012/2013. Please find enclosed a sample of the current Authorization Letter required for San Bernardino County to act as your regional lead in the application and administration of the OPP.

If you wish San Bernardino County to apply for and administer the OPP on behalf of your city, please take the following steps:

1. Provide an authorization letter on city letterhead using the **enclosed/attached** sample.
2. Have your City/Town Signatory sign the letter.
3. Though the letter itself should be addressed to CalRecycle, **the original signed letter should be provided to San Bernardino County Fire Dept.-HHW, for submittal with the electronic regional application.**

Address the envelope as follows:

San Bernardino County Fire Department  
Household Hazardous Waste Program-Attn: S. Odenbach, HMS III  
2824 East "W" Street  
San Bernardino, CA 92415-0799

**Please provide the signed letter to our office immediately**, as all letters of authorization are required in order for San Bernardino County to complete the online application.

Thank you for your participation in the Used Oil Payment Program. If you have any questions or concerns, please contact me immediately at (909) 382-5401, or [sodenbach@sbcfire.org](mailto:sodenbach@sbcfire.org).

Sincerely,

A handwritten signature in cursive script that reads "Stephanie M. Odenbach".

Stephanie Odenbach, Hazardous Materials Specialist III

Enclosures: Sample Authorization Letter

GREGORY C. DEVEREAUX  
Chief Executive Officer

Board of Supervisors  
BRAD MITZELFELT ..... First District      NEIL DERRY ..... Third District  
JANICE RUTHERFORD ..... Second District      GARY C. OVITT ..... Fourth District  
JOSIE GONZALES ..... Fifth District

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EXHIBIT "B"  
Authorization Letter

July 17, 2012

California Department of Resources, Recycling and Recovery  
Used Oil Payment Program FY 12/13  
1001 I Street  
P O Box 4025  
Sacramento, CA 95812-4025

**RE: Letter of Authorization, Used Oil Payment Program, FY  
2012/2013**

I am City Manager of the City of Colton. I am authorized to contractually bind the City of Colton. Pursuant to this authority, I hereby authorize the County of San Bernardino to submit a regional Used Oil Payment Program (OPP) application and act as Lead Agency on behalf of the City of Colton. The County of San Bernardino is hereby authorized to execute all documents necessary to implement and secure payment under the OPP.

If you have any questions, please contact Dennice Raygoza, Administrative Analyst at (909) 370-5065.

**Rod Foster**  
**City Manager**  
**(909) 370-5051**

**Signed** \_\_\_\_\_