

**REPORT TO MAYOR AND COUNCIL****TO THE HONORABLE MAYOR AND COUNCIL:**

DATE: July 7, 2015

SUBJECT: ADOPT RESOLUTION NO. 15-46 AUTHORIZING THE APPLICATION FOR A 2015/16 CALRECYCLE USED OIL PAYMENT PROGRAM FUNDING**Report in Brief**

The California Department of Resources Recycling and Recovery, a division of the California Natural Resources Agency, annually administers the Used Oil Payment Program (OPP) to provide funding to local governments for establishing collection programs that encourage recycling of used oil. OPP funds allow municipalities to assist citizens in properly disposing of used oil and filters through a variety of activities including collection facilities, public outreach, and education, thereby significantly reducing contamination of the environment.

Staff recommends that the City Council adopt Resolution No. 15-46, authorizing the application for 2015-16 CalRecycle Used Oil Payment Program funding; and authorize the Director of Public Works, or his designee, to execute all necessary documents.

Background

The City of Concord is mandated by both State and Federal laws to maintain a National Pollutant Discharge Elimination System permit for the City's stormwater discharge. As part of NPDES permit conditions, Concord is required to implement a comprehensive Stormwater Management Plan of Best Management Practices including used oil collection and recycling.

The California Oil Recycling Enhancement Act, administered by the California Department of Resources Recycling and Recovery (CalRecycle), is designed to facilitate the proper disposal of used motor oil. This law requires oil manufacturers to pay to CalRecycle \$0.24 for each gallon of lubricating oil sold in California. CalRecycle uses these funds to pay registered industrial generators, municipalities, curbside collection programs, and certified collection centers for used oil collection and recycling activities.

Discussion

The California Oil Recycling Enhancement Act mandates that CalRecycle offer annual grants to local municipalities for collection programs that encourage recycling of used oil. Funding in the State budget for Fiscal Year 2015-16 is expected to be about \$10 million, which will be divided up between all the cities that apply. In FY 2014-15, the City of Concord received \$34,587. This program funded the City's partnership with

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APPLICATION FOR A 2015/16 CALRECYCLE
USED OIL PAYMENT PROGRAM FUNDING**

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Concord Disposal Service to provide free curbside pickup of used motor oil for all Concord residents, as well as community education and outreach.

Fiscal Impact

The City of Concord's share of approximately \$10 million available statewide depends on how many municipalities apply for funding. Each municipality that applies will receive a pro rata share based upon population with a minimum of \$5,000. Based on the City's experience over the last dozen years, staff estimates that Concord's share of the funding for FY 2015-16 will be approximately \$35,000. If the application is not submitted, Concord's share of the grant funding will be divided up between the municipalities that apply. Residential curbside pickup of used motor oil in Concord would no longer be funded.

Public Contact

The City Council agenda has been posted.

Recommendation for Action

Staff recommends that the City Council adopt Resolution No. 15-46, authorizing the application for 2015-16 CalRecycle Used Oil Payment Program funding; and authorize the Director of Public Works, or his designee, to execute all necessary documents.

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**BEFORE THE CITY COUNCIL OF THE CITY OF CONCORD
COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA**

**A Resolution Authorizing the Application for a
FY 2015-16 CalRecycle Used Oil Payment Program**

Resolution No. 15-46

WHEREAS, pursuant to Public Resources Code § 48690 the Department of Resources Recycling and Recovery (CalRecycle) has established the FY 2015-16 Used Oil Payment Program (OPP) to make funds available to qualifying jurisdictions for implementation of their used oil recycling programs; and

WHEREAS, CalRecycle’s procedures for administering the OPP require, among other things, an applicant’s governing body to declare by resolution certain authorizations related to the administration of the Used Oil Payment Program; and

WHEREAS, the City of Concord is eligible to apply for FY 2015-16 funding under the OPP to support City-sponsored used oil recycling programs.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CONCORD DOES
RESOLVE AS FOLLOWS:**

Section 1. Approves the filing of an application for FY 2015-16 Used Oil Payment Program (OPP) funds.

Section 2. Authorizes the Director of Public Works, or his designee, as the Signature Authority to execute all documents necessary to implement and secure payment under the OPP.

Section 3. This Resolution shall become effective immediately upon its passage and adoption.

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1 **PASSED AND ADOPTED** by the City Council of the City of Concord on July 7, 2015, by
2 the following vote:

3 **AYES:**

4 **NOES:**

5 **ABSTAIN:**

6 **ABSENT:**

7 **I HEREBY CERTIFY** that the foregoing Resolution No. 15-46 was duly and regularly
8 adopted at a regular meeting of the City Council of the City of Concord on July 7, 2015.

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11 _____
12 Joelle Fockler, CMC
13 City Clerk

14 APPROVED AS TO FORM:

15 _____
16 Mark Coon, City Attorney