

**MOORPARK CITY COUNCIL  
AGENDA REPORT**

**TO:** Honorable City Council

**FROM:** Dave Klotzle, City Engineer/Public Works Director   
Teri Davis, Senior Management Analyst 

**DATE:** August 19, 2011 (Special CC meeting of 08/24/11)

**SUBJECT:** Consider State-required Revision to Resolution 2010-2901 Authorizing Submittal of a Used Oil Payment Program Application to the California Department of Resources Recycling and Recovery

**BACKGROUND AND DISCUSSION**

On April 21, 2010, City Council adopted Resolution 2010-2901 (Attachment A) authorizing the City to submit a Used Oil Payment Program (Program) application to the California Department of Resources Recycling and Recovery (CalRecycle), and authorizing the City Manager to execute any agreements, contracts and requests for payments under the Program. At the time Resolution 2010-2901 was adopted, CalRecycle approved the language in the Resolution. CalRecycle notified the City, on July 20, 2011, that the language in Resolution 2010-2901 will have to be revised to exclude any mention of the word 'grant' since the Program is not a grant. Without the revisions, Calrecycle will most likely disqualify the City's Program application.

The attached Draft Resolution (Attachment B) uses the same language as Resolution 2010-2901 with the two following exceptions. The word 'grant' is now omitted from Section 2, as required by CalRecycle; and the classifications identified in Section 2 were updated to better reflect the City's recent reorganization.

**FISCAL IMPACT**

Funding for the used oil program is budgeted in the Solid Waste and Recycling Division and expenditures will be offset by the Used Oil Payment Program if the application is funded.

**STAFF RECOMMENDATION**

Rescind Resolution 2010-2901 and adopt Resolution 2011-\_\_\_\_\_.

RESOLUTION NO. 2010-2901

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, AUTHORIZING SUBMITTAL OF A USED OIL PAYMENT PROGRAM APPLICATION TO THE CALIFORNIA DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY, AND AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AGREEMENTS, CONTRACTS, AND REQUESTS FOR PAYMENT**

WHEREAS, the City of Moorpark recognizes that it is in the public interest to enact and implement an integrated waste management plan to address the state's diminishing landfill space and the potential adverse environmental impacts from inappropriate disposal of waste materials including used oil; and

WHEREAS, Public Resources Code Sections 48690 et seq. authorize the California Department of Resources Recycling and Recovery (CalRecycle), formerly known as the California Integrated Waste Management Board, to make payments to qualifying jurisdictions for implementation of their used oil programs as required by PRC § 48690 et seq.; and

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

WHEREAS, CalRecycle's procedures for administering the Used Oil Payment Program 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.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOORPARK DOES HEREBY RESOLVE AS FOLLOWS:

**SECTION 1.** The City Council of the City of Moorpark authorizes submittal of applications, agreements, annual reports including expenditure reports and amendments necessary to secure said payments to support our Used Oil Collection Program until rescinded by the City Council of the City of Moorpark.

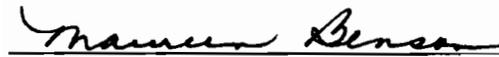
**SECTION 2.** The City Manager; Administrative Services Director; Administrative Services Senior Management Analyst; or a designee named by the City Manager, is hereby authorized and empowered to execute in the name of the City of Moorpark all necessary applications, contracts, payment requests, agreements and amendments hereto for the purposes of securing grant funds and to implement and carry out the purposes specified in the grant application.

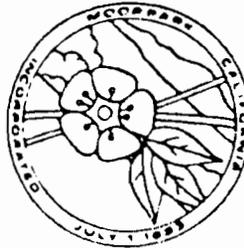
SECTION 3. The City Clerk shall certify to the adoption of the resolution and shall cause a certified resolution to be filed in the book of original resolutions.

PASSED AND ADOPTED this 21st day of April, 2010.

  
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Janice S. Parvin, Mayor

ATTEST:

  
\_\_\_\_\_  
Maureen Benson, Assistant City Clerk



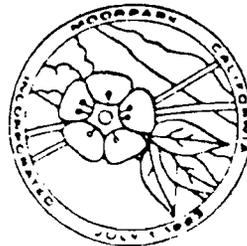
STATE OF CALIFORNIA            )  
COUNTY OF VENTURA         )     ss.  
CITY OF MOORPARK             )

I, Maureen Benson, Assistant City Clerk of the City of Moorpark, California, do hereby certify under penalty of perjury that the foregoing Resolution No. 2010-2901 was adopted by the City Council of the City of Moorpark at a regular meeting held on the 21st day of April, 2010, and that the same was adopted by the following vote:

AYES:           Councilmembers Mikos, Millhouse, Pollock, Van Dam, and Mayor  
                    Parvin  
NOES:           None  
ABSENT:        None  
ABSTAIN:       None

WITNESS my hand and the official seal of said City this 28th day of April, 2010.

  
\_\_\_\_\_  
Maureen Benson, Assistant City Clerk  
(seal)



## RESOLUTION NO. 2011-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, AUTHORIZING SUBMITTAL OF A USED OIL PAYMENT PROGRAM APPLICATION TO THE CALIFORNIA DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY, AND AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AGREEMENTS, CONTRACTS, AND REQUESTS FOR PAYMENT

WHEREAS, the City of Moorpark recognizes that it is in the public interest to enact and implement an integrated waste management plan to address the state's diminishing landfill space and the potential adverse environmental impacts from inappropriate disposal of waste materials including used oil; and

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SECTION 2. The City Manager; City Engineer/Public Works Director; Public Works Senior Management Analyst; or a designee named by the City Manager, is hereby authorized and empowered to execute in the name of the City of Moorpark all necessary applications, contracts, payment requests, agreements and amendments hereto for the purposes of securing funds and to implement and carry out the purposes specified in the application.

SECTION 3. The City Clerk shall certify to the adoption of the resolution and shall cause a certified resolution to be filed in the book of original resolutions.

PASSED AND ADOPTED this 24th day of August, 2011.

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Janice S. Parvin, Mayor

ATTEST:

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Maureen Benson, City Clerk