

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council

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

DATE: December 26, 2012 (CC Meeting of 01/16/13)

SUBJECT: Consider Resolution Authorizing the City's Participation in the Re-Designation of the Ventura County Recycling Market Development Zone

BACKGROUND

In 1990, the Governor and Legislature of California adopted SB 2310 (California Public Resource Code Section 42000, et seq.) authored by Senator Marian Bergeson (R-Newport Beach) establishing the California Recycling Market Development Zone (RMDZ) program. The purpose of the program was to stimulate the recycling of waste materials generated in California.

Under the program, local communities, separately or in partnership, apply for a designation as a RMDZ. Up to forty (40) zones may be approved throughout the State.

The RMDZ is an economic and technical assistance program consisting of state-funded low interest loans, technical assistance, site selection and permitting assistance, and assistance with obtaining recycled materials for manufacturing. It is available primarily to businesses using recycled material to make new products. It is also available for "source reduction," such as assistance to companies facilitating reuse or altering manufacturing processes to use less material.

Loans are made with State funds, and are available only to companies located in one (1) of the thirty-two (32) currently approved RMDZs in California. The interest rate is currently four percent (4%). That fixed rate is available for up to ten (10) years, in amounts of up to two million dollars (\$2,000,000) per loan.

In March of 1992, the cities of Camarillo, Oxnard, and Simi Valley joined the County of Ventura in forming the Ventura County RMDZ. One year later (in March 1993), all

jurisdictions in the County of Ventura, including each of the ten (10) city councils and the Board of Supervisors, representing the unincorporated area, submitted a revised application for joint designation. In April 1993, the California Integrated Waste Management Board¹ established the Ventura County RMDZ.

A list of the Ventura County RMDZ's major assistance to businesses in the County of Ventura is attached (Attachment B). Although most of these examples occurred outside the City of Moorpark, regional development of recycling-based businesses and promotion of recycled products creates markets for the city's recyclables and contributes to the local economy.

On January 15, 2003, Council adopted Resolution No. 2003-2047 (Attachment C) authorizing the City's participation in the County of Ventura's submittal of an application to re-designate the Ventura County RMDZ. Pursuant to Title 14, Section 17901 (j) of the California Code of Regulations, RMDZs must be re-designated every ten (10) years. The current Ventura County RMDZ will expire in April 2013 unless it is re-designated by California Department of Resources Recycling and Recovery (CalRecycle).

DISCUSSION

For the previous renewal process, in 2003, State staff issued a determination that California Environmental Quality Act (CEQA) compliance for the RMDZ renewal project required a negative declaration or full environmental impact report.

Consequently, the County of Ventura completed the process for adoption of a Negative Declaration consistent with these requirements. Because renewal of the County of Ventura's designation as a RMDZ does not require or ensure any future facilities, no reviewing agencies nor any member of the public found any evidence to indicate zone renewal will result in any direct activities or measures that impact the environment or other services included in CEQA consideration. In the event that the County of Ventura's status as a RMDZ increases the likelihood that companies will be recruited to or expanded in the County of Ventura, those companies' facilities will be subject to permit processes and individual review as to location and impacts under local jurisdictions' regulations.

Therefore, for the current renewal, the CalRecycle is allowing lead agencies to file a Notice of Exemption in order to meet CEQA requirements, and the County of Ventura has completed this process. Cities, considered responsible agencies, do not need to make separate CEQA findings as long as they adopt a resolution accepting the determination of the lead agency.

¹ The California Waste Management Board was eliminated and replaced by the newly formed California Department of Resources Recycling and Recovery, commonly referred to as CalRecycle, on January 1, 2010.

Honorable City Council
January 16, 2013
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FISCAL IMPACT

There is no fiscal impact.

STAFF RECOMMENDATION

Adopt Resolution No. 2013-_____, authorizing the City to continue participating in the Ventura County RMDZ by supporting the renewal application for the RMDZ re-designation by CalRecycle.

Attachment A – Resolution

Attachment B – List of RMDZ funded Businesses in the County of Ventura

Attachment C – Resolution 2003-2047

RESOLUTION NO. 2013-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, SUPPORTING THE RENEWAL OF THE VENTURA COUNTY RECYCLING MARKET DEVELOPMENT ZONE

WHEREAS, California Public Resources Code Section 42010, et al. provides for the establishment of the Recycling Market Development Zone (RMDZ) program throughout the State which provides incentives to stimulate development of post-consumer and secondary materials markets for recyclables; and

WHEREAS, all California jurisdictions must meet diversion rates mandated by the California Integrated Waste Management Act; and

WHEREAS, the Ventura County RMDZ includes designated areas in the County of Ventura and the cities of Camarillo, Fillmore, Moorpark, Ojai, Oxnard, Port Hueneme, San Buenaventura, Santa Paula, Simi Valley, and Thousand Oaks; and

WHEREAS, the Ventura County RMDZ is dedicated to establishing, sustaining and expanding recycling-based manufacturing businesses; and

WHEREAS, the current and proposed waste management practices and conditions are favorable to the development of post-consumer and secondary waste materials markets; and

WHEREAS, the designation as a RMDZ is necessary to assist in facilitating local and regional recycling market development planning and coordination, supporting existing recycling-based manufacturing businesses, and attracting private sector recycling investments to the area; and

WHEREAS, the continued development of local markets for recycled materials reduces the need to transport recyclables out of the region; and

WHEREAS, the California Legislature has defined environmental justice as “the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations and policies” (Government Code section 65040.12(e)), and the California Department of Resources Recycling and Recovery (CalRecycle) has adopted a goal to continuously integrate environmental justice concerns into all of the Department’s programs and activities; and

WHEREAS, the designation of the Ventura County RMDZ will expire on April 28, 2013, unless re-designated by CalRecycle; and

WHEREAS, the City of Moorpark desires to remain within the Ventura County RMDZ so existing and new recycling-based manufacturing businesses will be eligible for the technical and financial incentives associated with the RMDZ program; and

WHEREAS, the County of Ventura has agreed to act as Lead Agency for the proposed renewal and implementation of the Ventura County RMDZ; and

WHEREAS, in accordance with the California Environmental Quality Act (CEQA), the County of Ventura has determined that this re-designation is exempt from CEQA; and

WHEREAS, the City of Moorpark finds there are no grounds for the City of Moorpark to assume the Lead Agency role or to prepare an environmental document.

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

SECTION 1. The City of Moorpark as one of the responsible agencies proposing to remain as part of the Ventura County RMDZ, approves its inclusion on an application by the County of Ventura to the CalRecycle for renewal of the Ventura County RMDZ as a State-designated RMDZ that may include any or all of the cities of Camarillo, Fillmore, Moorpark, Ojai, Oxnard, Port Hueneme, San Buenaventura, Santa Paula, Simi Valley, and Thousand Oaks as well as the unincorporated portions of Ventura County.

SECTION 2. The City of Moorpark agrees to help the County of Ventura administer the RMDZ program in a manner that seeks to ensure the fair treatment of people of all races, cultures and incomes, including but not limited to soliciting public participation in all communities within the RMDZ, including minority and low income populations.

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

PASSED AND ADOPTED this 16th day of January, 2013.

Janice S. Parvin, Mayor

ATTEST:

Maureen Benson, City Clerk

Year	Company	RMDZ Loan	RMDZ Assisted Loan or Grant	Notes	Address	End Product Produced & Final Product/Notes	Feedstock	%PC	Tons/yr (current)
1993	Worm Concern	171,250		Loan approved, permits not; recorded as unfunded	580 Erbes Road	Soil Amendment	greenwaste, manure	100%	
1993	Cal Wood	1,000,000		Loan approved, permits not; recorded as unfunded	5275 Colt Street, Ventura, CA 93003; formerly 2950 Johnson Drive #101	Soil Amendments, mulch; approved for \$1 million loan pending local permits which were denied. Also owns Agromin. 18,632 is self-haul for 2000	yard waste	100%	156,000
1993	Crusader Plastics Rincon	500,000		Loan approved, collateral withdrawn; recorded as unfunded	134 N. 13th St.	Plastic Reels	ldpe	50%	
1993	Recycling/Sutta	150,000		Expansion of business from bay area	651 Mountain View Ave	dewater p&g mill's short fibers & recy. cntr.	short wet fibers	100%	1,000
1994	Simi Valley Base	250,000		Expansion for quake debris	8333 Happy Camp	Road Base	concrete, asphalt, dirt, brick, rock, block,	100%	203,340
1994	Marplast	200,000		Start-up custom plastic molder	5160 Gabbert Rd.	Plastic Bottles and Other Products/loan approved. second applied	hdpe	30 - 100%	140
1995	HydroSystems	62,000		fiberglass system uninstalled for recycling system proposed, so funds not collected	50 Moreland Road	Fiberglass Tubs, Spas, etc.	fiberglass	0%	0
1995	Cal Wood	1,000,000		Loan approved, permits not; recorded as unfunded	5275 Colt Street, Ventura, CA 93003; formerly 2950 Johnson Drive #101	Soil Amendments, mulch; approved for \$1 million loan pending local permits which were denied. Also owns Agromin. 18,632 is self-haul for 2000	yard waste	100%	156,000
1996	Rincon Recycling	0	350,000	City Commerce Bank	651 Mountain View Ave	dewater p&g mill's short fibers & recy. cntr.	short wet fibers	100%	1,000
1997	Explorer/ Edessa	0	150,000	GOEDC	1121 Mercantile Ave.	plastic refrigerators/got \$100k from Oxn. RLF, EDD training costs. CMTC consulting; applied for \$1 mil.	LDPE		
Subtotal s:		3,333,250	500,000						

Year	Company	RMDZ Loan	RMDZ Assisted Loan or Grant	Notes	Address	End Product Produced & Final Product/Notes	Feedstock	%PC	Tons/yr (current)
FY97-98	Rincon Recycling	0	150,000	City Commerce Bank, converts from LOC to term	651 Mountain View Ave	dewater p&g mill's short fibers & recy. cntr. plastic moldings, regrinds rejects, buys virgin flake; got 170k SBA504 after sugg. by Fram	short wet fibers plastic (esp. polypropylene)	100%	1,000
	JW Molding	0	170,000	SBA 504	2523 Calcite	plastic refrigerators/got \$100k from Oxn. RLF, EDD training costs, CMTC consulting; applied for \$1 mil. Plastic Bottles and Other Products/loan approved, second applied	LDPE	5 - 100%	
	Explorer	0	50,000	CEFO	1121 Mercantile Ave.				
	Marplast	334,000	875,000	SBA 504 in conjunction with second RMDZ loan	5160 Gabbert Rd.		hdpe		140
	Flying Heart	0	30,000	OVCB	PO Box 1766	Worm Farm/got internship, got \$30k from Ojai Valley Comm. Bnk & deal w/ distributor after Fran's advice (& sold shares) Gleaning, salvage, distribution of food/107.5k rmdz loan not taken after got grant, helped w/ lit, promo	food, greenwaste	100%	214
	FOODShare	107,500	0	Grant replaced loan; recorded as unfunded Fillmore redevelopment; converts to grant in 10 yrs.: initial recruitment was for bottle washing & reuse operation, RMDZ brought to Fillmore redev.	4156 N. Southbank		food	100%	216
	Giessenger Winery	0	98,000	Loan approved, site rejected; recorded as unfunded CIWMB tire grant for playground surfacing at Meiners Oaks Elementary	11378 Ovada Pl.	Winery, amusement/ Got \$98,000 redevelopment loan from Fillmore no payback if still in bus. 10 yrs. wants to do c & d facility at Egg City/300k loan approved pends permits	bottles for reuse		
	M Maintenance	300,000	0		PO Box 50728		c&d		
	Ojai Valley School District	0	25,000		400 S. Lomita	playground surfacing	tires		
	Oxnard Metals	0	150,000	City Commerce Bank	1441 Mountain View Ave	Collects/processes metal	scrap metal		

Year	Company	RMDZ Loan	RMDZ Assisted Loan or Grant	Notes	Address	End Product Produced & Final Product/Notes	Feedstock	%PC	Tons/yr (current)
	Star Impressions	0	100,000	SBA 7A	555 Dawson Dr.	Laser toner recharge; new ribbons, frm ref. got 100k SBA loan frm Goleta National, Ent. Academy, & EDD			
	Pictsweet Mushroom Farm	0	175,000	Corporate support to Ventura operation, letter in file verifies assistance from RMDZ	4440 Olivas Park Drive	In '99 Mushrooms/Compost; 3,200 trucks/yr.; 16 tons/load; contracts w/ racetracks at Hollywood Park, Los Alamitos, Fairplex	manure/horse bedding	100%	572,000
Subtotals:		741,500	1,823,000						
FY98-99	Conejo Valley School District	0	25,000	CIWMB tire grant for athletic surface at running track	420 E Thousand Oaks Blvd. E THOUSAND OAKS BLVD, THOUSAND OAKS, CA 91360				
	H Cattle	0	102,000	Big A Trucking Lease used documentation prepared for RMDZ loan	3462 Almond Drive	Collects packing house waste, feeds 300 cattle, on 2500 acre parcel above Camarillo. Needs road, trucks, bins.	packing waste (+sawdust) waste	100%	8,500
	PreCon Products	1,000,000	0	additional funds from existing sources	240 West Los Angeles Ave	shoreline protection, drain enclosures, other concrete products	concrete, also some plastic	100%	5,850
	Poly-Tainer, Inc	1,000,000	400,000	7 yr. energy incentive from sce	2220 Shasta Way	Plastic products (incl. bottles, rake heads, handles); pays 35-50k/month energy costs; needs 100k sq.ft. bldg.; open 7x24.	plastics	20%	275

Year	Company	RMDZ Loan	RMDZ Assisted Loan or Grant	Notes	Address	End Product Produced & Final Product/Notes	Feedstock	%PC	Tons/yr (current)
	Poly-Tainer, Inc	0	3,670,000	pacific century bank	2220 Shasta Way	Plastic products (incl. bottles, rake heads, handles); pays 35-50k/month energy costs; needs 100k sq.ft. bldg.; open 7x24.	plastics	20%	275
	Rancho Dos Amigos/River Hawk Ranch/Santa Clara Organics	682,000	0	Additional funds from Somers	2777 West Young Rd.	makes mulch, spreads in own orchard 20,800 Makes plastic products (incl. film reels) and machinery to make plastic products. Owned by Bill Baer, his brother, and daughter Anna.	yard waste	100%	20,800
	Gemstone	0	187,000	EDC-VC used RMDZ ap data & CIWMB loan officer assisted	750 Easy Street	Makes plastic products (including film reels) and machinery to make plastic products. Owned by Bill Baer, his brother, and daughter Anna.	plastics	5 - 100%	
	Gemstone	0	13,000	City of Smi Valley	750 Easy Street	Anna.	plastics	5 - 100%	
Subtotals:		2,682,000	4,397,000						
FY99-00	Parks Optical	500,000	200,000	EDC-VC/ RMDZ joint project, brought in Sun Trust for remainder	730 Easy Street	binoculars & telescopes	plastic	50%	100
	Parks Optical	0	50,000	Sun Trust Bank LoC	730 Easy Street	binoculars & telescopes	plastic	50%	100
	Silicon Recycling Services	1,600,000	700,000	American Commercial Bank portion depended on RMDZ portion	322 N. Aviator St	takes quartz and silicon waste, mainly from computer industry; cleans, processes. supplies mainly solar industry	silicon&quartz	100%	600
Subtotals:		2,100,000	250,000						
FY00-01	Habitat for Humanity ReStore	0	43,532	CIWMB Reuse Grant to EERD for ReStore promotion	167 Lambert Street	thrift store for building materials	C&D	100%	

Year	Company	RMDZ Loan	RMDZ Assisted Loan or Grant	Notes	Address	End Product Produced & Final Product/Notes	Feedstock	%PC	Tons/yr (current)
	Conejo Park and Recreation District	0	25,000	CIWMB Playground surfacing grant; for Old Meadows Park, May '00	155 E Wilbur Rd. Ste 200	playground surfacing	tires	100%	
Subtotal s:		0	68,532						
FY01-02	Conejo Park and Recreation District	0	50,000	CIWMB playground surfacing grant; for Borchard Park, Jan '02	155 E Wilbur Rd. Ste 200	playground surfacing	tires	100%	
	Eco-Blok, LLC	0	250,000	CIWMB Commercialization Grant, April 02	1675 Fox Springs Circle	Product for building industry	crumb rubber from tires	100%	1
Subtotal s:	Rubbersidewalks Inc.	0	250,000	CIWMB Commercialization Grant, April 02	2622 West 157th St.	rubber sidewalks, especially useful against tree roots, currently contracts for manufacture, wants to set-up own factory in Ventura County	tire crumb rubber	90%	
FY 02-03									
FY 03-04	Habitat for Humanity ReStore	0	48,500	CIWMB Reuse Grant to EERD for ReStore	167 Lambert Street	thrift store for building materials	C&D	100%	
Subtotal s		0	48,500						
FY 04-05									
FY 05-06									
	ENO Plastics	912,000	0	10 year 5% fixed	460 Calle San Pablo, Unit D	plastic flake and pellet	LDPE	100%	5,000
	Leading Industries Inc/ Pinnacle Plastic Containers	955,000	0	10 year 5% fixed	1151 Pacific Ave.	containers, esp clamshells for Cool Pak strawberries	PET		2,100

Year	Company	RMDZ Loan	RMDZ Assisted Loan or Grant	Notes	Address	End Product Produced & Final Product/Notes	Feedstock	%PC	Tons/yr (current)
Subtotal s:		1,867,000							
FY 06-07									
	Leading Industries Inc/ Pinnacle Plastic Containers	1,525,500		10 year 5% fixed	1151 Pacific Ave.	containers, esp clamshells for Cool Pak stawberries	PET		2,100
FY 07-08									
	ENO Plastics	750,000		10 year 5% fixed	460 Calle San Pablo, Unit D	plastic flake and pellet	LDPE	100%	5,000
	ENO Plastics		1,824,201	DOC RMD and Expansion Grant	460 Calle San Pablo, Unit D	plastic flake and pellet	PET	100%	1,000
	Leading Industries Inc/ Pinnacle Plastic Containers		1,631,300	DOC RMD and Expansion Grant	1151 Pacific Ave.	containers, esp clamshells for Cool Pak stawberries	PET		2,100
	Leading Industries Inc/ Pinnacle Plastic Containers		583,436	DOC RMD and Expansion Grant	1151 Pacific Ave.	containers, esp clamshells for Cool Pak stawberries	PET		2,100
Subtotal s:		750,000	4,038,937						
FY 10-11									
	Oxnard Pallet Co. / E. Vasquez Distributors	145,000		10 year 4% fixed	PO Box 1748	pallets	off spec & broken wood pallets	100%	6,000
FY 11-12									
	Trupart	290000		10 year 4% fixed	4450-A Dupont C	custom cut products from recycled, reused and source reduced material	various	varies	13
FY 12-13									
	Santa Paula Materials	1,150,000		15 year 4% fixed	PO Box 467	inert base	concrete and asphalt	100%	10,000
	Grand Total	14,584,250	11,675,969						26,260,219

RESOLUTION NO. 2003-2047

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, AUTHORIZING THE CITY'S PARTICIPATION IN THE COUNTY'S SUBMITTAL OF A RECYCLING MARKET DEVELOPMENT ZONE RENEWAL APPLICATION

WHEREAS, the California Public Resources Code Section 42010 provides for the establishment of the Recycling Market Development Zone (RMDZ) program throughout the State to provide incentives to stimulate development of post-consumer and secondary materials markets for recyclables; and

WHEREAS, the Ventura County Recycling Market Development Zone (VCRMDZ) currently includes unincorporated Ventura County and the cities of Camarillo, Fillmore, Moorpark, Ojai, Oxnard, Port Hueneme, San Buenaventura, Santa Paula, Simi Valley, and Thousand Oaks; and

WHEREAS, cities and counties must maintain a fifty percent (50%) waste diversion rate, as mandated in the California Integrated Waste Management Act; and

WHEREAS, the Ventura County Recycling Market Development Zone is dedicated to establishing, sustaining and expanding recycling-based manufacturing businesses, which are essential for market development and for assisting local jurisdictions in meeting the established landfill reduction goals; and

WHEREAS, the Ventura County Recycling Market Development Zone designation will expire in April 2003 unless re-designated by the California Integrated Waste Management Board; and

WHEREAS, the City of Moorpark still desires existing and new recycling-based manufacturing businesses locating within the region to be eligible for the technical and financial incentives associated with the RMDZ program; and

WHEREAS, the renewal of the Ventura County Recycling Market Development Zone is still necessary to facilitate local and regional planning, coordination, support of existing recycling-based manufacturing businesses, and attraction of private sector recycling business investments to the region; and

WHEREAS, current and proposed waste management practices and conditions are favorable to the development of post-consumer and secondary waste materials markets; and

WHEREAS, the Ventura County Board of Supervisors adopted a Final Negative Declaration (ND) for the Renewal of Ventura County's status as a Recycling Market Development Zone during their December 17, 2002 regular meeting; and

WHEREAS, the California Legislature has defined environmental justice as "the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies" [Government Code section 65040.12(e)], and has directed the California Environmental Protection Agency to conduct its programs, policies, and activities that substantially affect human health or the environment in a manner that ensures the fair treatment of people of all races, cultures, and income levels, including minority populations and low-income populations of the state [Public Resources Code section 71110(a)]; and

WHEREAS, the California Integrated Waste Management Board, in its Strategic Plan, has adopted a goal to continuously integrate environmental justice concerns into all of the Board's programs and activities.

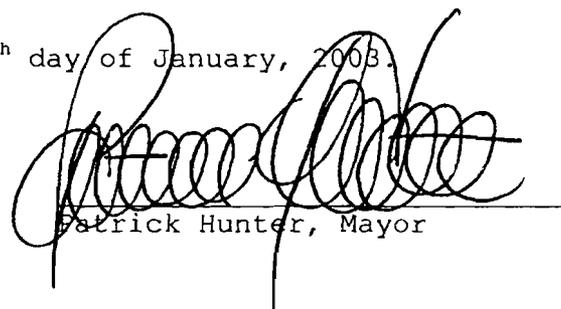
NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOORPARK DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The City of Moorpark approves the submittal of a Recycling Market Development Zone renewal application which may include any or all of the following jurisdictions: unincorporated Ventura County and the cities of Camarillo, Fillmore, Moorpark, Ojai, Oxnard, Port Hueneme, San Buenaventura, Santa Paula, Simi Valley, and Thousand Oaks;

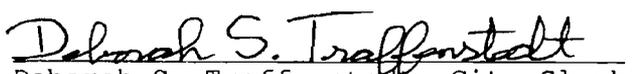
SECTION 2. The City of Moorpark agrees to work with the County of Ventura to help administer the RMDZ program in a manner that seeks to ensure the fair treatment of people of all races, cultures and incomes, including but not limited to soliciting public participation in all communities within the RMDZ.

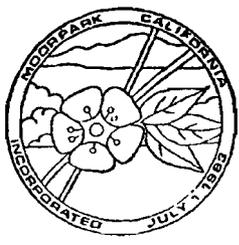
SECTION 3. The City Clerk shall certify to the adoption of the resolution and shall cause a certified resolution to be filed in the book of original Resolutions.

PASSED AND ADOPTED this 15th day of January, 2008.


Patrick Hunter, Mayor

ATTEST:


Deborah S. Traffenstedt, City Clerk



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

I, Deborah S. Traffenstedt, City Clerk of the City of Moorpark, California, do hereby certify under penalty of perjury that the foregoing Resolution No. 2003-2047 was adopted by the City Council of the City of Moorpark at a regular meeting held on the 15th day of January, 2003, and that the same was adopted by the following vote:

AYES: Councilmembers Harper, Mikos, Millhouse, Parvin
 and Mayor Hunter
NOES: None
ABSENT: None
ABSTAIN: None

WITNESS my hand and the official seal of said City this 7th day of February, 2003.

Deborah S. Traffenstedt
Deborah S. Traffenstedt, City Clerk
(seal)

