



Board Agenda Item 75

DATE: December 9, 2025

TO: Board of Supervisors

SUBMITTED BY: Joe Prado, Director, Department of Public Health

SUBJECT: Retroactive Revenue Agreement with the California Department of Resources Recycling and Recovery

RECOMMENDED ACTION(S):

Retroactively approve and ratify the previous execution by the Department of Public Health of the revenue agreement with the California Department of Resources Recycling and Recovery for FY 2025-26 Local Enforcement Agency Grant Program funding, effective July 1, 2025 through October 30, 2026 (\$28,783).

There is no additional Net County Cost associated with the recommended action. Approval of this action will ratify the Department of Public Health's (Department), serving as the County's Local Enforcement Agency (LEA), previous execution of a revenue agreement with the California Department of Resources Recycling and Recovery (CalRecycle) to receive non-competitive grant funds in the amount of \$28,783. The Department received the agreement on October 3, 2025 with a due date of December 1, 2025, which was inadvertently electronically signed by the Environmental Health Division Manager on October 20, 2025. The recommended action ratifies funds that support solid waste enforcement activities, including the inspection and monitoring of regulated waste facilities, participation in mandatory training, and the purchase and maintenance of equipment. Pursuant to California Public Resources Code, Section 43230, this grant award solely supports the solid waste permit and inspection program. This item is countywide.

ALTERNATIVE ACTION(S):

Should your Board not approve and ratify the recommended action, the Department would need to terminate the agreement with CalRecycle for acceptance of grant funds that currently offset operational and direct facility inspection activities, which could ultimately affect the rate structure for these services. Additionally, the grant funds are utilized to offset a portion of the cost of a position in the solid waste program. If the grant funds are not accepted, this position would be reallocated and the Department would not be able to perform facility inspections at the frequency required by the State pursuant to California Public Resources Code Chapter 2, Section 43209 and California Code of Regulations, Title 14.

RETROACTIVE AGREEMENT:

The recommended agreement is retroactive to July 1, 2025. CalRecycle provided the revenue agreement to the Department on October 3, 2025 and was signed by the Department on October 20, 2025. This item was prepared for your Board in accordance with the agenda item processing deadlines.

FISCAL IMPACT:

There is no additional Net County Cost associated with the recommended action. The FY 2025-26 LEA

revenue agreement (\$28,783) represents an increase of \$108 from the prior year. The grant allocation is non-competitive and does not require matching funds. The grant allows for full reimbursement of direct costs but does not allow for indirect cost recovery. The Department's FY 2025-26 indirect cost recovery rate is 24.472%. Sufficient appropriations and estimated revenues are included in the Department's Org 1156 FY 2025-26 Adopted Budget and will be included in the Department's Org 1156 FY 2026-27 Recommended Budget.

DISCUSSION:

The Department has received LEA Grant Program funds since 2000. On June 18, 2024, your Board passed Resolution 24-236, which authorizes the submission of up to five years of grant applications to CalRecycle for LEA Grant Program funds from FY 2024-25 through FY 2028-29 and authorizes signature of a Letter of Designation for the LEA Grant signed by then Board Chairman that all grant related documents necessary to apply for and secure the grant funds may be delegated to the Department of Public Health's Environmental Health Division Manager. In accordance with this Resolution, the Department submitted its grant application on May 1, 2025 and signed the agreement on October 20, 2025, which resulted in the request for ratification of the FY 2025-26 revenue agreement before your Board.

On November 5, 2024, your Board approved the FY 2024-25 LEA Grant Program funds which expired on October 31, 2025. The ratification of the revenue agreement would provide grant revenue (\$28,783) to support FY 2025-26 solid waste program activities. Program personnel are responsible for the inspection of landfills, solid waste collection vehicles, transfer stations, compost facilities, contraction and demolition activities and inert processing facilities. Department staff also inspect 50 closed landfill sites to ensure State compliance and 77 Post-Closure Land Use Lots (CalCot) for methane sensor testing. The Department proposes to continue utilizing the grant funds to support program enforcement activities, mandatory training, memberships, equipment, and costs associated with maintenance and calibration of such equipment.

The recommended revenue agreement varies from County standard language in that the County agrees to indemnify, defend, and save harmless the State; the County agrees to waive all claims and recourse against the State for matters in any way connected with or incident to this recommended agreement. County Risk Management reviewed and accepts the non-standard language in the agreement as there is minimal risk and CalRecycle is not amenable to revising the terms and conditions.

REFERENCE MATERIAL:

BAI #58, November 5, 2024
BAI #60, June 18, 2024

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Agreement with CalRecycle

CAO ANALYST:

Ronald W. Alexander