



~~November 2010~~ December 2010

CALIFORNIA NATURAL RESOURCES AGENCY

Department of Resources Recycling and Recovery (CalRecycle)

## WASTE TIRE ENFORCEMENT GRANT PROGRAM

### Application Guidelines and Instructions

18<sup>th</sup> Cycle – FISCAL YEAR (FY) 2010/11

TEA 18

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## Application Instructions & Award Process

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The Application Guidelines and Instructions contain information, processes and examples that supplement the separately available Notice of Funds Available (NOFA), Grant Application Form, Work Plan, Budget, Terms and Conditions, and Procedures and Requirements to assist the Applicant in completing its Application for the Waste Tire Enforcement Grant Program (Program). The Application Guidelines and Instructions are incorporated by reference into the Grant Agreement for the Fiscal Year (FY) 2010/11 Waste Tire Enforcement Grant Program. Applicants are advised to carefully read and understand all Grant related information before applying for the Program.

### NOFA, Application and other Grant Documents

The Notice of Funds Available (NOFA), Application, and other Grant related documents can be found at <http://www.calrecycle.ca.gov/tires/Grants/Enforcement/FY201011/default.htm>.

### New Applicants

New Applicants are those Applicants that did not receive a Waste Tire Enforcement Grant Award for Fiscal Year (FY) 2009/10 (TEA 17). All counties may apply for this grant, and new Applicant cities must have 50 or more active\* businesses with Tire Program Identification (TPID) numbers in their jurisdictions at time of application. New Applicants must be one of the following:

1. City;
2. County; or,
3. City and County.

New Applicants that are under the jurisdiction of an existing Waste Tire Enforcement Grantee that is also applying for a TEA 18 Grant may apply for this Grant only if the new Applicant:

- Meets the eligibility requirements of this Grant; and,
- Notifies the existing Grantee and CalRecycle in advance of its intent to apply; and,
- Meets with the existing Grantee and CalRecycle; and,
- Demonstrates that complementary services are needed in its jurisdiction(s); and,
- Is approved by CalRecycle.

\*"Active" means the Business Status is "Active" in CalRecycle's Waste Tire Management System.

### Reapplying Grantees

Reapplying Grantees are those Applicants that received a TEA 17 Grant Award. A reapplying Grantee must be a City, County, or City and County, and is eligible to apply for a TEA 18 Grant if it satisfactorily performed in accordance with its TEA 16 Grant Agreement, including, but not limited to, the Terms and Conditions, Procedures and Requirements, Work Plan and Budget. CalRecycle will use joint field inspections and other performance

measures to determine if a reapplying Grantee has satisfactorily performed in the TEA 16 Grant cycle.

Previous Grant cycles included reapplying Grantee performance measures; however, the measures were difficult to quantify and apply. To better define and quantify satisfactory performance, the following are examples of performance measures and standards that may be reviewed to determine if a reapplying Grantee has performed satisfactorily in prior Grant cycles:

- Spending at least 80% of awarded funds on eligible and approved items and activities;
- Completing at least 80% of inspections estimated in Application;
- Performing reinspections within 30 days of the Notice of Violation compliance deadline;
- Submitting inspection forms to CalRecycle within 30 days of the end of the month in which the inspection was performed;
- Following-up on complaints and referrals within 30 days of receipt;
- Submitting enforcement referrals to CalRecycle within 30 days of identification;
- Submitting complete Performance Reports, Payment Requests, and other required Grant documents by the due date;
- Referring all non-compliant TPIDs to CalRecycle for enforcement action after a maximum of two follow-up inspections and within 30 days of the last compliance deadline;
- Attending all mandatory training events;
- Participating with CalRecycle on the development of enforcement cases, including testifying at hearings and other legal proceedings as needed;
- Participating in joint training with CalRecycle field staff; and,
- Complying with all requirements of the Grant Agreement.

CalRecycle staff will work closely with reapplying Grantees that are not performing satisfactorily. If a reapplying Grantee does not perform satisfactorily for two or more consecutive grant cycles, staff may recommend to the Director that the reapplying Grantee not receive a TEA Grant Award.

### **Managing Entity**

For both new Applicants and reapplying Grantees, the Applicant must designate a managing entity to implement and oversee the Program. The managing entity must be one of the following:

- A Local Enforcement Agency (LEA);
- An Environmental Health Agency, department, office, etc.;
- A Code Enforcement Agency, department, office, etc.; or,
- Another agency, department, office, etc., that has inspection and code enforcement authority, experience and capability.

### **Collaborative Applications**

A Participating Collaborative Jurisdiction voluntarily allows an Applicant (Primary Collaborative Jurisdiction) to perform waste tire enforcement activities in its jurisdiction, despite the fact that the Participating Collaborative Jurisdiction does not fall within the Applicant's own jurisdictional boundaries. For example, there are two adjacent counties, only one of which applies for a Grant in TEA 18. However, the two Counties agree to

collaborate, whereby the Applicant will perform waste tire enforcement activities in the non-applicant County, or Participating Collaborative Jurisdiction. For the non-applicant County to become a Participating Collaborative Jurisdiction to the Applicant County's Primary Collaborative TEA 18 Application, it would need to pass a Resolution authorizing the Applicant County to perform these waste tire enforcement activities within its jurisdictional boundaries, and the Resolution would need to be submitted with the TEA 18 Application. The Applicant County must also submit a Resolution that authorizes it to act on its own behalf, as well as on behalf of the Participating Collaborative Jurisdiction(s).

Cities within the same county may also collaborate to become Collaborative Jurisdictions to other cities. For example, there are two adjacent Cities within the same County, only one of which is a TEA 18 grant Applicant. The County in which the cities are located is also an active TEA grantee, but the County chooses not to perform waste tire enforcement activities in the non-applicant city. The two cities agree that the non-applicant City will become a Participating Collaborative Jurisdiction whereby the Applicant City (the Primary Collaborative Jurisdiction) will perform waste tire enforcement activities in the Participating Collaborative Jurisdiction. For the non-applicant City to become a Participating Collaborative Jurisdiction to the Applicant City's Primary Collaborative TEA 18 Application, it would need to pass a Resolution authorizing the Applicant City to perform waste tire enforcement activities within its jurisdictional boundaries. The Applicant City must also submit a Resolution that authorizes it to act on its own behalf, as well as on behalf of the Participating Collaborative Jurisdiction(s). Additionally, the County within which the Collaborating Jurisdictions are located must specifically enumerate within its Resolution those jurisdictions for which it will provide waste tire enforcement activities. The list of covered jurisdictions must not include any of the Participating Collaborative Jurisdictions. Participating Collaborative Jurisdiction would need to obtain a Letter of Permission from the County Administrator's Office stating that the County agrees that the Applicant City may perform waste tire enforcement activities in the Participating Collaborative Jurisdiction(s) and that it will not be performing any such activities in the Participating Collaborative Jurisdiction(s).

Finally, a non-applicant City that is not receiving waste tire enforcement services from the active TEA grantee County in which it is located may collaborate with another County or with a City outside the County to become Collaborative Jurisdictions. For the non-applicant City to become a Participating Collaborative Jurisdiction to the Applicant City or County's Primary Collaborative TEA 18 Application, it would need to pass a Resolution authorizing the Applicant City or County to perform waste tire enforcement activities within its jurisdictional boundaries. The Applicant City or County must also submit a Resolution that authorizes it to act on its own behalf, as well as on behalf of the Participating Collaborative Jurisdiction(s). Additionally, the Participating Collaborative Jurisdiction would need to obtain a Letter of Permission from the County Administrator's Office stating that the County agrees that the Applicant City or County (Primary Collaborative Jurisdiction) may perform waste tire enforcement activities in the Participating Collaborative Jurisdiction(s) and that it will not be performing any such activities in the Participating Collaborative Jurisdiction(s).

It should be noted that an incorporated City that is not an active TEA grantee is already within the jurisdiction of the County within which it is located for purposes of the TEA Grant Program, and does not need to become a Collaborative Jurisdiction with its own County. (See section entitle "Grantee's Authority")

See Appendix B for examples of Collaborative Jurisdiction Resolutions for both the Applicant (Primary) and Participating Collaborative Jurisdictions, and a Letter of Permission from a County Administrator's Office.

### **Grantee's Authority**

CalRecycle is responsible for performing all activities related to enforcing waste tire permit, hauling and storage laws and regulations. When a local jurisdiction receives a TEA Grant and becomes a Grantee, it is authorized to enforce waste tire laws and regulations under CalRecycle's authority, not its own. Some Grantees or managing entities have authority as Local Enforcement Agencies (LEA) or code enforcement agencies; however, that authority is not applicable to the waste tire enforcement program.

Under the TEA Grant:

- County Grantees may perform waste tire activities in the following areas:
  - the unincorporated area of its own County, and the incorporated areas of all Cities within the boundaries of the County that are not TEA Grantees or Collaborative Jurisdictions on any other jurisdiction's TEA Grant Application; and,
  - the unincorporated and incorporated area of any Collaborative Jurisdiction(s).
- City Grantees may perform waste tire activities in the following areas:
  - the incorporated area of its own City; and,
  - the unincorporated and incorporated areas of any Collaborative Jurisdiction(s)
- City and County Grantees may perform waste tire activities in the following areas:
  - the unincorporated and incorporated areas of its own City and County; and,
  - the unincorporated and incorporated areas of any Collaborative Jurisdiction(s)

### **Available Funds and Maximum Awards**

There is \$7,775,000 available for TEA 18 Awards. Applicants may request up to and including the maximum award amount allowed for its qualifying population. The maximum Award for any Applicant is:

- \$300,000 for Applicants with qualifying populations equal to or less than 900,000;
- \$450,000 for Applicants with qualifying populations 900,001 through 2,000,000; and,
- \$600,000 for Applicants with qualifying populations of 2,000,001 or more.

### **Qualifying Populations for Maximum Awards**

Qualifying populations for maximum award amounts are determined from the California Department of Finance (DOF) report, *E-1 Population Estimates for Cities, Counties and the State with Annual Percent Change*. The report is generally published in May of each year and may be found at [http://www.dof.ca.gov/research/demographic/reports/estimates/e-1/2009-10/documents/E-1\\_2010.xls](http://www.dof.ca.gov/research/demographic/reports/estimates/e-1/2009-10/documents/E-1_2010.xls).

Following is a description of how an Applicant's qualifying population is determined:

- For a County Applicant, the qualifying population includes all of the following:

- the population of the unincorporated area of the Applicant County and the population of all incorporated Cities within the boundaries of the County that are not included on any other TEA Application; and,
- the population of the unincorporated and incorporated areas of any Collaborative Jurisdiction(s)
- For a City Applicant, the qualifying population includes all of the following:
  - the population of the incorporated area of the Applicant City; and,
  - the population of the unincorporated and incorporated areas of any Collaborative Jurisdiction(s)
- For a City and County Applicant, the qualifying population includes all of the following:
  - the population of the unincorporated and incorporated areas of the Applicant City and County; and,
  - the population of the unincorporated and incorporated areas of any Collaborative Jurisdiction(s)

### **Application Package Components**

All Applicants must submit a complete Application Package, which includes the following components:

- One original and one copy of the Application, Work Plan and Budget found at <http://www.calrecycle.ca.gov/tires/Grants/Enforcement/FY201011/default.htm>;
- Original Signature of Signature Authority on Application, preferably signed in blue ink\*;
- Resolutions and Letters of Designation, Letter(s) of Permission, if applicable, (see Appendices A and B for examples); and,
- (If applicable) One original of an explanation regarding unspent funds in TEA 15 and/or 16.
  - If the Applicant received a Grant Award in TEA 15 and/or 16, and spent less than 80% of the Grant Award in either or both cycles, the Applicant must submit with its Application an explanation as to why less than 80% of the Award was spent under either or both cycles.

*\*The Signature Authority is the person who is authorized in the Resolution to execute all grant documents, including but not limited to, Applications, Agreements, Amendments, Contracts, requests for payment and all Grant documents necessary to secure Grant funds and implement the approved Grant project. The submitted Grant Application must include a current resolution approved by the Applicant's governing body, such as its Board of Supervisors or City Council, authorizing submittal of the Application, and identifying the position title(s) of the authorized Signature Authority. The resolution(s), LODs and Letter(s) of Permission may be submitted by the secondary due date as long as it is received by CalRecycle no later than ~~February 28, 2011~~ **March 11, 2011**. If the resolution is received after ~~February 28, 2011~~ **March 11, 2011**, the Application will be disqualified.*

## Application Delivery Instructions & Deadline

Applications that are mailed must be postmarked no later than ~~January 28, 2011~~ **February 11, 2011**. Hand delivered Applications must be received and date stamped by CalRecycle or its agent no later than 3:00 p.m. on ~~January 28, 2011~~ **February 11, 2011**. In addition to mailing or delivering the Application package as previously described, Applicants must also e-mail a copy of the Application Work Plan and Budget no later than **3:00 p.m. on January 28, 2011 **February 11, 2011**. E-mailing the Application Work Plan and Budget does not constitute submittal of the Application, which must be separately submitted in its entirety as set forth in these Guidelines and Instructions no later than the Application deadline.**

*Faxed, e-mailed, late or incomplete Applications will not be accepted and will not be considered for funding.*

Applications sent by U.S. Postal Service should be mailed to:

CalRecycle  
Attn: TEA Grant Program  
FiRM Branch, MS 9A Attn: Donnell Duclo  
Post Office Box 4025  
Sacramento, CA 95812-4025

Applications sent by Commercial Carrier or by Hand should be delivered to:

California Environmental Protection Agency Building  
CalRecycle  
Attn: TEA Grant Program  
FiRM Branch, MS 9A Attn: Donnell Duclo  
1001 "I" Street  
Sacramento, CA 95814

Applications sent by U.S. Postal Service or a commercial delivery service should be sent by a means that allows for tracking by the sender and that provides an addressed and dated receipt, demonstrating mailing to CalRecycle's address. Failure to do so is at the risk of the Applicant and if delivery is delayed or the Application is lost by the delivery service, the burden is on the Applicant to demonstrate timely mailing or delivery of the Application. For hand-delivered applications, Applicants are encouraged to obtain a signed and dated receipt to verify a timely submitted application.

## Grant Term, Grant Performance Period, and Report Preparation Period

The Grant Performance Period begins on the date indicated in the Notice to Proceed letter that the Grantee will receive from CalRecycle. Eligible Grant expenditures may start no earlier than the indicated date, which will be no earlier than June 30, 2011. In all cases, all eligible Program costs must be incurred no later than June 29, 2012.

The Grant Term starts on the same date as the Grant Performance Period and ends on September 28, 2012, the date the Final Performance Report and Payment Request are due to

CalRecycle. The period between June 30, 2012, and September 28, 2012, is referred to as the Report Preparation Period. ***Costs incurred to prepare the Final Performance Report and Payment Request are the only costs that are eligible for reimbursement during the Report Preparation Period.***

### Tentative TEA 18 Dates

Date	Activity
<del>January 28, 2011</del> February 11, 2011	<b>Application Deadline.</b> Applications must be postmarked by this date, and hand delivered Applications must be received and date stamped by CalRecycle or its agent no later than 3pm on this date.
<del>February 28, 2011</del> March 11, 2011	<b>Secondary Deadline</b> If Resolutions, Letters of Delegation (LOD), and Letters of Permission are not submitted with the Application, they must be <u>received</u> by the CalRecycle by this date.
<del>April</del> May 2011	Proposed date for award of TEA 18 grants.
<del>April</del> May 2011	Grant Agreement packages sent to Applicants.
90 days from date of Grant Agreement Cover Letter	Applicant signed Grant Agreements must be returned to CalRecycle.
Date indicated in <i>Notice to Proceed</i> letter from CalRecycle	TEA 18 eligible activities and expenditures may begin. (Date will be no earlier than June 30, 2011.)
March 30, 2012	<b>Mid-Year Performance Report and Payment Request, with supporting documentation, due</b> to CalRecycle.
June 29, 2012	<b>Grant Performance Period Ends</b> - all eligible costs must be incurred by this date. See the following exception.
June 30, 2012 through September 28, 2012	This period is referred to as the Report Preparation Period. Costs incurred to prepare the Final Performance Report and Final Payment Request, with supporting documentation, are the only costs that are eligible during this period.
September 28, 2012	<b>Final Performance Report and Final Payment Request with supporting documentation due</b> to CalRecycle. All purchases must be received, and all eligible payments made, before the submission of the Final Report and Final Payment Request. <b><u>No extensions will be given beyond September 28, 2012.</u></b>
September 28, 2012	<b>Grant Term Ends.</b>

## Eligible Costs

Eligible costs generally include approved costs necessary to perform eligible activities and enforce waste tire permitting, hauling and storage laws and regulations. To be considered for eligibility, costs must be reasonable, cost-effective and adequately supported; incurred during the Grant Performance Period; directly and clearly related to the performance of eligible Grant activities; and incurred in accordance with the Grant Agreement. Such costs may include, but are not limited to:

- Costs incurred on or after the date specified in the Notice to Proceed received by the Grantee from CalRecycle **and** prior to the end of the Grant Performance Period on June 29, 2012;
- Expenses that are described in the Grantee's Application, approved Budget (Exhibit D), and that are within the scope of the Work Plan (Exhibit C).
- Personnel Costs.
- Travel and per diem.
- Transportation.
- ~~Purchase or lease of a vehicle, if pre-approved, in writing, by the CalRecycle Grant Manager; or~~ Use of a Grantee-owned or personal vehicle.
  - ~~○ Grantees that purchase vehicles, in whole or in part with Grant funds, must provide CalRecycle with a purchase money security interest in the vehicle purchased for a 5-year term. Grantees who lease vehicles, in whole or in part with Grant funds, must provide CalRecycle with a security interest that is secured by the Grant. As part of the vehicle lease security agreement, Grantees will be required to agree that if at any time during the 5-year term of the security agreement, the vehicle is not predominantly used for Grant-funded activities, the Grantee will return to CalRecycle all Grant funds expended during the Grant term(s) in which the vehicle is not used predominantly for Grant-funded activities.~~
  - ~~○ Grantees must include CalRecycle as a lien holder on the vehicle title from the date of purchase. CalRecycle will release the lien when the security interest expires, or 5 years after the execution of the Security Agreement.~~
  - ~~○ All vehicles purchased or leased with Grant funds must be used predominantly for Grant-funded activities.~~
- Equipment such as:
  - Hand-held camera, standard and zoom lens, camera bag, film or memory stick, film processing or picture prints, connecting cords and standard accessories;
  - Portable GPS;
  - Range finder, tape measure, and other measuring devices;
  - Cell phone and monthly service ;
  - Steel-toed work boots (maximum of \$200 per pair, and 1 pair per Inspector every 2 years);
  - Waterproof rain gear, including: coat, hat, pants, boots, gloves;
  - Clinometer;
  - Clipboard;
  - Binoculars and case;
  - Portable calculator;
  - Hard Hat;
  - Gloves (disposable and durable);

- Disposable face mask;
- Safety glasses;
- Reflective safety vest, lightweight windbreaker, or logo/identification vest;
- Surveillance Camera and standard accessories, such as video recording equipment and tripod, if CalRecycle free cameras are regularly unavailable when requested;
- Ear plugs (disposable and durable);
- Flashlight; and,
- Batteries and battery charger.

## Ineligible Costs

Ineligible costs include, but are not limited to:

- Expenses incurred prior to the date indicated in the Notice to Proceed letter or after June 29, 2012.
- Expenditures for waste tire activities outside the jurisdiction(s) approved Work Plan in the Grantee's Application (see preceding information about the Grantee's authority to perform eligible Grant activities.)
- Expenditures incurred in the performance of more than one inspection of a waste tire location. (See the Task 1 - Inspections section of the Procedures and Requirements for the limited exceptions where more than one inspection is allowed.)
- Any expenditures incurred as a result of changes to the approved Work Plan or Budget without the written pre-approval of the CalRecycle Grant Manager, including:
  - Purchasing equipment, materials and supplies;
  - Attending non-mandatory training classes;
  - Providing outreach; and,
  - ~~Cleaning up illegally dumped waste tires.~~
- Costs covered by or incurred under any other loan, Grant, Grant Cycle, or contract with the limited exception that time spent with Department of Finance or CalRecycle auditors who are conducting audit(s) of previous TEA grant cycles. Those costs may be charged to Task #5 under the current Grant cycle for reimbursement, as long as audit costs are not already included in the Grantee's overhead or indirect cost rate already being charged to the grant, or in the Grantee's Board of Supervisors or City Council approved rate already being charged to the grant.
- Costs incurred for items such as car washes, auto detailing, vehicle window tinting, law enforcement packages for vehicles, etc.
- Costs associated with purchasing, leasing, renting or maintaining land or buildings.
  - These items are not eligible as a direct line item charge to the Grant; however, these costs are allowable if included in an eligible overhead or indirect cost rate, or in an hourly labor rate approved by the Grantee's Board of Supervisors or City Council.
- Hourly labor rates in excess of an employee's:
  - actual regular time hourly rate (including benefits, overhead, indirect and non-productive adjustments, etc.); or,
  - Board of Supervisors or City Council approved hourly rate.

*Exceptions:* An hourly labor rate in excess of the previously described limits is allowable IF the rate is pre-approved, in writing, by the CalRecycle Grant Manager for specially scheduled evening or weekend events, or when a law or labor contract requires payment in excess of the employee's regular time hourly rate.

- Any costs that are not directly related to performing approved Grant work.
- Any costs that are not consistent with local, state, and federal laws, guidelines and regulations.
- Personnel costs for an employee not working on the Grant (i.e. use of accrued leave time such as sick leave or vacation, daily breaks, lunch periods, general work meetings, etc.).
- Costs associated with Amnesty Day events, such as creating and distributing hauler exemption letters.
- Costs associated with activities related to the use of recycled products.
- Costs associated with the clean-up of illegally dumped waste tires.

~~Exceptions: Some limited activities and costs associated with the clean-up of illegally dumped waste tires are eligible. See Task #8 for eligible cleanup activities and costs.~~

- Items described as other, miscellaneous, to be determined, etc.
- The direct cost of items that are already included in another cost or rate, such as those items included in an indirect or overhead rate.
- Costs that the CalRecycle Grant Manager deems unreasonable, excessive, ineligible, inappropriate, duplicative or not related to the Grant.

## Work Plan and Budget

The following examples of eligible activities under each Task are given to assist the Applicant in the preparation of the Work Plan and Budget. The Applicant may wish to detach this list of examples from the Grant Application Guidelines and Instructions for easy reference during the Grant Performance Period to assist in managing grant activities and to ensure compliance with the Grant Agreement. Eligible activities may include, but are not limited to, the activities listed under the following Tasks.

### Task #1 - Inspections - Eligible Activities

In general, all activities related to planning and performing inspections of active businesses with Tire Program Identification (TPID) numbers, preparing and submitting CalRecycle Survey and Inspection Forms (CIWMB 181 and 182), and tracking inspection results, are eligible. Eligible work under this task includes, but is not limited to:

- Researching CalRecycle's Waste Tire Management System (WTMS) and the Grantee's own database of inspections, to develop a complete Plan of inspections to be performed during the TEA 18 Grant cycle.
- Gaining an understanding of how to perform inspections and preparing to conduct a specific inspection by researching sources such as: Grantee and CalRecycle databases; past inspections and enforcement activities; Grant requirements; and, waste tire permitting, hauling storage and disposal laws, regulations, policies, processes, procedures and protocols.
- Writing inspection-related planning, preparing, performing, and reporting policies, processes, procedures and protocols.
- Developing tools to track inspection-related activities.
- Discussing inspection related planning, preparing, performing and reporting with CalRecycle Inspectors and Grant Managers.
- Meeting with the Grantee's own tire enforcement staff to discuss inspection-related planning, preparing, performing and reporting, and applicable waste tire laws,

regulations, policies, processes, procedures, etc. This may include on the job inspection training for new Grantee tire enforcement staff.

- Updating and correcting Survey and Inspection report data, and tire business information, in CalRecycle's Waste Tire Management System (WTMS) and the Grantee's own database.
- Maintaining files of inspection report copies as needed.
- Correcting Survey and Inspection reports when returned by CalRecycle for correction of inaccurate information, or completion of missing information.
- Coordinating inspections with other Grantees when both a City and the County in which the City is located are TEA Grantees. This coordination is essential to ensure no duplication or gaps in inspections.
- Exchanging information with Collaborative Jurisdictions on complaints, referrals, inspections, and other inspection related activities.
- Traveling to and from the inspection site.
- Attempting and completing an on-site inspection.
- Providing technical assistance to tire businesses on waste tire laws and regulations, and distributing educational brochures and information as needed. (This may occur during or after inspection, or when no inspection has been performed and a tire business has contacted the Grantee for information, assistance and guidance. This activity is also eligible under Task #3.)
- Performing inspections and completing all applicable sections of CalRecycle Survey and Inspection forms for each complete inspection.
- Completing a Referral form and gathering appropriate documentation when a tire business is referred to CalRecycle for enforcement action. (This activity is also eligible under Task #2.)
- Submitting the survey, inspection and referral forms every month.

Northern California Grantees should submit their forms to:

Ms. Barbara Strough  
California Department of Resources Recycling and Recovery  
Post Office Box 4025, MS 10A-17  
Sacramento, CA 95812

Central California Grantees should submit their forms to:

Mr. Frank Simpson  
California Department of Resources Recycling and Recovery  
Post Office Box 4025, MS 10A-17  
Sacramento, CA 95812

Southern California Grantees should submit their forms to:

Ms. Lillian Conroe  
California Department of Resources Recycling and Recovery  
1955 Chicago Avenue, Suite 100  
Riverside, CA 92507

## **Task #2 - Enforcement - Eligible Activities**

In general, all activities related to planning and performing waste tire enforcement activities are eligible. Eligible work under this task includes, but is not limited to:

- Researching, surveiling, identifying, and documenting:

- illegal waste tire disposal sites and activities;
- individuals responsible for illegal dumping of waste tires;
- owners of private property on which illegal dumping of waste tire is occurring; and,
- unregistered waste tire haulers. (Grantees must refer illegal haulers to CalRecycle within 30 days of identification.)
- Conducting and reporting on investigations, surveillance and other waste tire enforcement activities related to illegal waste tire hauling, storage and disposal.
- Making waste tire enforcement referrals to CalRecycle and local law enforcement, as appropriate.
- Gaining an understanding of allowable and appropriate waste tire enforcement activities and preparing enforcement actions or referrals. Researching sources such as: Grantee and CalRecycle databases; past enforcement activities; Grant requirements; and, waste tire permitting, hauling, storage and disposal laws, regulations, policies, processes, procedures and protocols.
- Participating in task forces, working groups, etc. actively involved in waste tire enforcement activities within the Grantee's jurisdiction.
- Providing waste tire storage, hauling and disposal awareness training to local law and code enforcement personnel within the Grantee's jurisdiction to encourage referrals or citations of illegal waste tire dump sites, illegal waste tire dumpers, and unregistered waste tire haulers. (Awareness training is generally limited to 1 hour per session.)
- Working with CalRecycle, the California Highway Patrol (CHP), and local law enforcement to establish checkpoints to identify unregistered waste tire haulers.
- Assisting CalRecycle with the investigation of waste tire referrals, complaints, violations, discrepancies, legal records searches, etc.
- Writing waste tire enforcement related planning, preparing, performing, and reporting policies, processes, procedures and protocols.
- Developing tools to track waste tire enforcement related activities, including maintaining appropriate enforcement and referral documents and files.
- Discussing waste tire enforcement related planning, preparing, performing, reporting, etc. with CalRecycle Inspectors and Grant Manager.
- Meeting with the Grantee's own tire enforcement staff to discuss waste tire enforcement related planning, preparing, performing and reporting, and applicable waste tire laws, regulations, policies, processes, procedures, etc. This may include on the job waste tire enforcement training for new Grantee tire enforcement staff.
- Investigation and enforcement activities pre-approved in writing by the CalRecycle Grant Manager, such as working with the local District Attorney (DA), attending administrative, court and/or CalRecycle hearings, and supporting case development.
- Reporting to CalRecycle all enforcement actions on waste tire-related cases, including any referrals to the DA's Office and any actions taken by the DA's Office on waste tire related cases.
- Preparing and submitting CalRecycle Surveillance forms.
- Coordinating waste tire enforcement activities with other Grantees when both a City and the County in which the City is located are TEA Grantees. This coordination is essential to ensure no duplication or gaps in inspections.
- Exchanging information with Collaborative Jurisdictions on waste tire enforcement related activities.
- Traveling to and from waste tire enforcement activities.
- Obtaining inspection and other warrants as needed, participating with local law enforcement activities, performing interviews and field investigations, developing

enforcement cases, etc.

- Following-up in locations with known illegal waste tire dumping, or where complaints and referrals have been received. This is sometimes referred to as "field patrolling". This activity should be purposeful and should be focused on known areas of illegal waste tire dumping. Grantees should also be able to show substantive results from this activity, such as identification and citation of illegal waste tire dumpers or unregistered waste tire haulers, decreases in illegally dumped waste tires, etc.

NOTE: Inspections are only eligible under Task #1 - Inspections.

### **Task #3 - Outreach - Eligible Activities**

In general, all activities related to informing waste tire businesses and the general public about waste tire hauling, storage, permitting, and disposal laws and regulations are eligible. All activities should be primarily directed to waste tire businesses. Eligible work under this task includes, but is not limited to:

- Researching Grant requirements and waste tire permitting, hauling, storage and disposal laws, regulations, policies, processes, procedures and protocols, and developing outreach materials and brochures, presentations, and promotional items.
- Identifying waste tire businesses, informing them of applicable waste tire laws and regulations, and distributing educational brochures and information as needed. This may include obtaining WTMS reports of newly issued TPIDs, or canvassing business areas to determine if new or established businesses perform waste tire activities.
- Obtaining TPIDs for businesses that perform waste tire activities that should be monitored.
- Providing waste tire information to the general public via large and small community events, and distributing educational brochures and information as needed. (All general public outreach events must be pre-approved, in writing, by the CalRecycle Grant Manager.)
  - Presentations to groups or at events consisting primarily of K-8 children are generally not eligible.
- Developing tools to track outreach activities.
- Providing outreach as requested by CalRecycle.
- Discussing outreach activities with CalRecycle Inspectors and Grant Manager.
- Meeting with the Grantee's own tire enforcement staff to discuss outreach planning, events and activities, reporting, etc. This may include on-the-job outreach training for new Grantee tire enforcement staff.
- Coordinating outreach with other Grantees when both a City is a Grantee, and the County in which it is located is also a Grantee. This coordination is essential to ensure no duplication or gaps in activities.
- Exchanging information with Collaborative Jurisdictions on outreach related activities.
- Reporting all outreach activities to CalRecycle.
- Traveling to and from outreach events and meetings.

### **Task #4 - Grantee Training - Eligible Activities**

All training must be received by the Grantee's waste tire enforcement staff, must be directly related or beneficial to the enforcement of waste tire hauling, storage, permitting and

disposal, and must be pre-approved by CalRecycle's Grant Manager. Eligible training under this task includes, but is not limited to:

- Attending basic **and refresher** health and safety classes to ensure that tire enforcement staff remain safe while performing waste tire field inspections, enforcement, etc. **These events are mandatory and all Grantees must send any inspector that is due for appropriate health and safety training.**
- Attending all CalRecycle sponsored waste tire Round Tables, **WTMS Training, Grant Management Workshops,** and the annual Training Symposium. These events are mandatory and all Grantees must send at least one representative to each of these events.
- Attending eligible non-mandatory training such as the CalEPA sponsored Enforcement Symposium, Basic Inspector Academy, Conducting Effective Interviews for Inspectors, and Environmental Enforcement Training.
- **Providing training or participating in meetings and/or conferences as requested by CalRecycle. If attendance at any training requires any budgetary adjustments, Grantees must contact the Grant Manager prior to attending the training to obtain approval for any such adjustments. and upon pre-approval in writing by the CalRecycle Grant Manager.**
- **Coordinating and hosting Round Tables or other CalRecycle sponsored training events.**
- Discussing eligible training classes with CalRecycle Inspectors and Grant Managers.
- Traveling to and from each approved training event.

#### **Task #5 - Grant Management - Eligible Activities**

In general, all activities related to managing the TEA Grant are eligible. Eligible work under this task includes, but is not limited to:

- Preparing and submitting TEA 18 Performance Reports, Payment Requests, and all other required documents, forms and information. Grantees are required to submit a Mid-Year and Final Performance Report and Payment Request.
- Discussing with CalRecycle Grant Managers eligible Grant activities, performance reporting, Payment Requests and supporting documentation, and Work Plan and Budget changes.
- Developing and maintaining an accurate system to capture and report waste tire enforcement staff time, activities and costs, and monitoring activities, costs, and systems for accuracy, completeness, and eligibility.
- Writing policies, processes and procedures for tracking and reporting staff time, activities and costs, and meeting with the Grantee's own tire enforcement staff to discuss these items.
- Maintaining files of documentation and records to support Grant activities and costs.
- Preparing and submitting the TEA 19 Grant Application.
- Cooperating with CalRecycle, California Department of Finance and California Bureau of State Audits auditors during the audit of any TEA grant cycles, and responding to audit reports and findings, as long as audits are not otherwise included in an approved overhead or indirect cost rate or Board of Supervisors or City Council approved rate already being charged to the Grant.
- Responding to CalRecycle questions about the Grantee's TEA 17 Final Performance Report, Payment Request, and supporting documentation.

## Task #6 - Equipment, Materials and Supplies - Eligible Activities

In general, all equipment, materials and supplies purchased to perform approved and eligible waste tire activities are eligible. Eligible purchases under this task include, but are not limited to:

- Hand-held camera, standard and zoom lens, camera bag, film or memory stick, film processing or picture prints, connecting cords and standard accessories;
- Portable GPS;
- Range finder, tape measure, and other measuring devices;
- Cell phone and monthly service;
- Steel-toed work boots (maximum of \$200 per pair, and 1 pair per Inspector every 2 years);
- Waterproof rain gear, including: coat, hat, pants, boots, gloves;
- Clinometer;
- Clipboard;
- Binoculars and case;
- Portable calculator;
- Hard Hat;
- Gloves (disposable and durable);
- Disposable face mask;
- Safety glasses;
- Reflective safety vest, lightweight windbreaker, or logo/identification vest;
- Surveillance Camera and standard accessories, such as video recording equipment and tripod, if CalRecycle free cameras are regularly unavailable when requested;
- Ear plugs (disposable and durable);
- Flashlight; and,
- Batteries and battery charger.

## Task #7 - Transportation - Eligible Activities

In general, all transportation costs incurred to perform approved and eligible waste tire activities are eligible. Eligible transportation costs include, but are not limited to vehicle usage costs.

- ~~purchase and lease of vehicle (when pre-approved in writing by CalRecycle at the time of Application); and,~~
- ~~vehicle usage costs.~~

## ~~Task #8 - Small Tire Pile Cleanup - Eligible Activities~~

~~In general, all activities related to planning and performing small tire pile cleanups are eligible; however, all cleanup locations must be pre-approved, in writing, by the CalRecycle Grant Manager. Eligible work under this task includes, but is not limited to:~~

- ~~Cleaning up piles with a total of 499 or fewer waste tires illegally dumped at any one location along a public right-of-way that is the responsibility of the Grantee, or a Collaborative Jurisdiction.~~

- ~~Grantees may choose to take the tires to a legal disposal site, or back to their public works yard or similar location, referred to as a staging area. If the tires are taken to a staging area, the Grantee may accumulate up to 499 tires at any one time. Once the staging pile reaches 499 tires, the tires must be taken to a legal disposal site. Grantees are allowed to have more than one pickup from their staging area during TEA 18 as long as the pile never exceeds 499 tires.~~
- ~~Cleaning up piles with a total of 499 or fewer waste tires illegally dumped on private property where the responsible party cannot be determined or found. For cleanups on private property:~~
  - ~~the Grantee must determine that the property owner(s) is not responsible for the waste tire pile;~~
  - ~~the property owner must sign a Declaration of Non-responsibility;~~
  - ~~the Grantee must determine that the site is a health and safety hazard; and,~~
  - ~~the site must be pre-approved in writing by the CalRecycle Grant Manager for cleanup.~~
- ~~Working with the Grantee's Department of Public Works, its contractor, or other public agencies, to haul and dispose of illegally dumped tires to be cleaned up.~~
- ~~Developing and managing a contract for the cleanup of small tire piles. Contractors and subcontractors must not be on CalRecycle Unreliable Contractor List pursuant to Title 14, California Code of Regulations, Division 7, Chapter 1, Sections 17050-17062.~~
- ~~Developing tools to track cleanup related activities and costs.~~
- ~~Discussing cleanup related planning, performing and reporting with CalRecycle Inspectors and Grant Managers.~~
- ~~Coordinating cleanups with other Grantees when both a City and the County in which the City is located are TEA Grantees.~~
- ~~Exchanging information with Collaborative Jurisdictions on cleanup activities.~~
- ~~The cost of disposing of waste tires at a CalRecycle permitted, excluded, or exempted waste tire storage facility or disposal site.~~
- ~~The reasonable cost of fencing, gates, signs and other methods to safely secure the location where illegal dumping of waste tires has occurred.~~
- ~~The cost of equipment and tools purchased, rented, and consumed during the cleanup process.~~

## Questions

If you have any questions or concerns regarding the eligibility of an activity or cost, please consult the CalRecycle Grant Manager. While general inquiries may be verbal, any requests for authorization must be in writing and all approvals must be in writing prior to the activity being undertaken or the cost being incurred. When requesting a change, Grantees should submit a compelling justification for moving funds or revising the Work Plan. ***The CalRecycle Grant Manager will not approve changes that result in the reduction of the performance of core program functions for inspections, enforcement, or mandatory training. Additionally, requests that exceed established limitations will not be approved. Changes may be requested through April 30, 2012,*** to allow the CalRecycle Grant Manager adequate time to review and respond to the request, and CalRecycle recommends that all requested changes be submitted via e-mail to the TEA Grant Manager. Reimbursement will not be approved if the CalRecycle Grant Manager determines that an activity or cost is unreasonable, excessive, ineligible, inappropriate, duplicative or not related to the Grant.

## Budget Limitations

Tasks 1, 2, 6 ~~and 7 and 8~~ each have limitations on eligible hours or costs and will be reviewed by the CalRecycle Grant Manager when the Final Payment Request and Performance Report are submitted. Expenditures in excess of the limitations may result in funds being withheld from the Final Payment Request or the Grantee being required to return funds to CalRecycle. Grantees are strongly advised to track their expenditures during the Grant Performance Period to ensure that they stay within the limitations for each of the previously mentioned tasks.

Additionally, Grantees must claim actual travel expenses and mileage at the State or Grantee rate, whichever is less. All travel costs must be in accordance with the California State Travel policies contained at <http://www.dpa.ca.gov/personnel-policies/travel/hr-staff.htm>. Reimbursable mileage and other travel expenses (per diem) may not exceed the State rates as set forth in the State Administrative Manual.

### Task #1

The maximum hours allowed per inspection depends on the Grantee's record keeping system. If the Grantee has a record keeping system that separately accumulates inspection hours for each TPID inspected with a waste tire count of 500 or more, the Grantee may claim the actual number of hours spent on:

- each TPID inspected with a waste tire count of 500 or more; and,
- all inspections with a waste tire count of 499 or fewer, as long as the average actual hours per inspection is 4 hours or less.

For Grantees that do not have the ability or desire to separately accumulate inspection hours for each TPID inspected with a waste tire count of 500 or more, the Grantee may claim the actual number of hours spent on all inspections as long as the average actual hours per inspection is 4 hours or less.

NOTE: Time in and out on the Inspection report does not limit reimbursable hours to that period of time. Also, inspection preparation and report writing may be performed on days other than the date of the inspection.

### Task #2

The amount requested under Task #2 must be less than or equal to 75% of the actual approved and eligible costs reimbursed under Task #1. *If Task #1 actual costs are less than originally budgeted, then the maximum amount that can be claimed on Task #2 will be adjusted proportionally.*

### Task #6

The amount requested under Task #6 must be less than or equal to 10% of approved expenditures for all tasks.

### Task #7

Eligible transportation costs conditionally include the actual cost of vehicle ~~purchase, lease, and~~ usage. When Grantees prepare and submit their Payment Request for reimbursement of actual transportation costs, the amount requested under Task #7 must be less than or equal to 10% of approved expenditures for all tasks, up to a maximum of \$25,000.

Grantees have the option of claiming vehicle usage costs based upon actual mileage at the lesser of the Grantee or state mileage rate, or to claim actual costs in lieu of a mileage rate. Under either option, the Grantee must submit mileage usage logs to show the actual mileage driven to perform eligible TEA 17 activities. Additionally, if the Grantee claims actual costs in lieu of a mileage rate, the average actual cost per mile must be no more than the state's standard mileage rate.

- If a mileage rate is used to claim transportation costs, Grantees must use the lesser of their own rate or the state rate. Mileage rates generally cover the cost of fuel, maintenance, insurance, licensing, registration, depreciation, and all other costs associated with operation and usage of the vehicle. Therefore, Grantees cannot claim vehicle usage costs using both a mileage rate and the separate cost of the items covered by the mileage rate. This web site contains information about the state mileage rate <http://www.dpa.ca.gov/job-info/short-term-travel/personal-vehicle-mileage-reimbursement.htm> . The state mileage rate is currently 50 cents per mile and includes all the cost components previously listed. If the rate changes during the Grant term, Grantees should use the rate in effect at the time the mileage was incurred.
- If actual costs are claimed in lieu of a mileage rate, the costs may include any and all of the components previously listed as being covered by a mileage rate

Grantees may also claim the cost of ~~lease and purchase payments, and~~ interdepartmental charges from the Grantee's pooled car or fleet maintenance group. Those costs are not included as a component when determining the actual usage cost per mile.

#### Task #8

~~The amount requested under Task #8 must be in accordance with these limitations:~~

- ~~• A maximum of \$4,990 may be claimed for any one site\*;~~
- ~~• A maximum of 499 tires may be claimed for any one site\*;~~
- ~~• The average cleanup cost per tire per site must be \$10 or less; and,~~
- ~~• A maximum of \$25,000 or 10% of the total Grant Award, whichever is greater, may be claimed in total.~~

~~\*as previously stated, multiple claims may be submitted for tires removed from the Grantee's staging area~~

## **Public Records**

All documents submitted in relation to the Grant become the property of CalRecycle and are subject to disclosure under the Public Records Act. Do not submit confidential information with the Application package.

## **Application Review Process**

After the Application deadline has passed, CalRecycle staff will review the Grant Applications for completeness, accuracy, eligibility, reasonableness, and for compliance with the Grant Criteria, Grant Application Guidelines and Instructions, Terms and Conditions, and the Procedures and Requirements. Only eligible Applicants and activities, and accurate, complete, reasonable and compliant Applications will be recommended for funding.

## **If Program Funding Requests Exceed Funds Available**

If total grant requests received exceed the allocated amount of \$7,775,000, the grant requests will be adjusted until they total \$7,775,000 or less. CalRecycle staff will initially consider the Applicant's qualifying population to set a potential base grant award.

The potential base grant award amount for any Applicant is:

- \$70,000 for Applicants with qualifying populations less than or equal to 99,999;
- \$90,000 for Applicants with qualifying populations 100,000 through 499,999;
- \$130,000 for Applicants with qualifying populations 500,000 through 1,000,000; and,
- \$210,000 for Applicants with qualifying populations of 1,000,001 or more.

CalRecycle staff will also consider the following information to determine the recommended award amount for each Applicant:

- the number of active permitted sites and other businesses with TPIDs;
- known threats to public health and safety or the environment;
- the number of waste tire complaints and referrals received in previous grant cycles;
- the number of illegal waste tire dump sites identified in previous grant cycles;
- grant funds used and/or unused in previous grant cycles;
- the number of inspections completed in previous grant cycles; and,
- enforcement and surveillance activities in previous grant cycles.

## **Grant Award Process**

CalRecycle staff will prepare award recommendations for the **Assistant Deputy** Director's consideration and approval. The TEA Grant Program is a non-competitive Program and CalRecycle will award Grants on a non-competitive basis. CalRecycle reserves the right to fund individual phases of selected proposals, and therefore, may fund an amount less than requested or recommended. Should this occur, CalRecycle staff will incorporate additional conditions or changes into the Grant Agreement. CalRecycle reserves the right to not award any funds under this Program.

## Grant Program Administration

### Grant Agreement and Notice to Proceed

The Grant Agreement package will be mailed to successful Applicants after Awards have been approved by CalRecycle. The Grant Agreement package will include:

- Award Cover Letter.
- Grant Agreement Cover Sheet (CalRecycle 110).
- Exhibit A - Terms and Conditions, which contain legal requirements of all Grants.
- Exhibit B - Procedures and Requirements, which contain project, reporting, survey, and audit requirements.
- Exhibit C - CalRecycle approved Work Plan.
- Exhibit D - CalRecycle approved Budget.
- Attachment I – Forms Matrix
- Other documents as appropriate.

In addition, the following documents are incorporated by reference and are also a part of the Grant Agreement:

- CalRecycle approved Grant Application as submitted by the Grantee.
- The Application Guidelines and Instructions.

Applicants must sign and return the Grant Agreement Cover Sheet no later than 90 days from the date indicated on the CalRecycle Award Cover Letter. CalRecycle will send a Notice to Proceed letter to the Grantee after the signed Grant Agreement has been returned.

Expenditures under the Grant Award may begin after the date indicated in the Notice to Proceed letter.

### Grant Award Contingent

All Grants awarded by CalRecycle are contingent on the Grantee:

1. Returning the executed Grant Agreement within 90 days of the date CalRecycle mails the Grant Agreement to the Grantee; and,
2. Paying in full or bringing current any outstanding debts or payments owed to CalRecycle within 90 days of the date CalRecycle awards the Grant.

Failure to fulfill either of these conditions will render the Grant Award null and void.

### CalRecycle Grant Manager for Waste Tire Enforcement Grant

Phanessa Fong is the CalRecycle Grant Managers for all TEA Grants. Phanessa may be reached at (916) 341-6689, or via e-mail at [Phanessa.Fong@CalRecycle.ca.gov](mailto:Phanessa.Fong@CalRecycle.ca.gov). Phanessa may also be reached via shared e-mail box address at [TireEnforcement@calrecycle.ca.gov](mailto:TireEnforcement@calrecycle.ca.gov).

## Appendix A Resolution Information and Examples

### Single Applicants Applying on Own Behalf

For Applicants that have a governing authority such as a City Council or Board of Supervisors, the Grant Application package must include a current approved resolution authorizing submittal of an Application to CalRecycle. The resolution must identify the position title of the official authorized to execute Applications, Agreements, Amendments, Contracts, requests for payment and all Grant documents necessary to secure Grant funds and implement the approved Grant project.

A copy of a current approved resolution should be submitted with the Application; however, the resolution may be submitted late as long as it is received by CalRecycle by ~~February 28, 2011~~ **March 11, 2011**. If the resolution is received after ~~February 28, 2011~~ **March 11, 2011**, the Application will be disqualified.

CalRecycle recommends that Resolutions give authorization to one or more position titles and Designee(s) rather than one or more named individuals. The reason for this recommendation is that if the Resolution authorizes a specific person by name, and that person leaves or is no longer responsible for the grant, the Grantee will need to obtain and submit a new Resolution designating a new signature authority.

For the TEA grant program, CalRecycle will accept Resolutions that are effective for a period of up to five years, unless otherwise specified.

**Note: If an Applicant does not intend to conduct waste tire enforcement activities throughout its entire jurisdiction, then it must specify in its Resolution those areas in which it will conduct such enforcement activities. If a jurisdiction does not designate specific areas of enforcement in its Resolution, then CalRecycle will assume that the Applicant will be responsible for waste tire enforcement throughout its entire jurisdiction.**

**Resolution Example**

The following language is presented as an example only. Applicants are advised to consult with their organization's attorney.

*Note: This example can be modified for less than 5 years and/or for specific Grants.*

WHEREAS, Public Resources Code sections 40000 et seq. authorize the Department of Resources Recycling and Recovery (CalRecycle), formerly known as the California Integrated Waste Management Board, to administer various Grant Programs (grants) in furtherance of the state of California's (State) efforts to reduce, recycle and reuse solid waste generated in the State thereby preserving landfill capacity and protecting public health and safety and the environment; and

WHEREAS, in furtherance of this authority CalRecycle is required to establish procedures governing the application, awarding, and management of the grants; and

WHEREAS, CalRecycle grant application procedures require, among other things, an applicant's governing body to declare by resolution certain authorizations related to the administration of CalRecycle grants.

NOW, THEREFORE, BE IT RESOLVED that the (**Title of Governing Body**) authorizes the submittal of application(s) to CalRecycle for (choose one of the following options) 1) (names(s) of specific grants) or 2) all grants for which (**Name of Applicant**) is eligible. [Note: this provision is either/or; do not include both options]; and

(Optional. May be used if Applicant will not be performing waste tire enforcement activities throughout its entire jurisdiction. This information must be included if the entire jurisdiction is not being covered by the Applicant.) BE IT FURTHER RESOLVED that (Name of Applicant) will not provide waste tire enforcement activities throughout the entirety of its jurisdictional area, but will provide waste tire enforcement services to the following areas: {list areas of coverage with sufficient specificity that CalRecycle can clearly determine the incorporated and unincorporated areas in which the Applicant will be performing waste tire enforcement activities.}

BE IT FURTHER RESOLVED that the (**Job Title**), or his/her designee is hereby authorized and empowered to execute in the name of the (**Name of Applicant**) all grant documents, including but not limited to, applications, agreements, amendments and requests for payment, necessary to secure grant funds and implement the approved grant project; and

BE IT FURTHER RESOLVED that these authorizations are effective for (choose one of the following options) 1) five (5) years from the date of adoption of this resolution or 2) for a period less than five years (**insert Time Period: from Month, Day, Year through Month, Day, Year**). [Note: this provision is either/or; do not include both options].

The foregoing resolution was passed by the (**Title of Governing Body**) on (**date**).

ATTEST:

X

\_\_\_\_\_  
Signature Authority

\_\_\_\_\_  
Date

**Letter of Designation (LOD) Example - Authorization for Designation of Signature Authority**

A Letter of Designation is used when the Applicant’s resolution authorizes the Signature Authority to delegate his/her signature authority to another individual.

The following language is presented as an example only. Applicants are advised to consult with their organization's attorney.

LETTERHEAD (Should include Applicant’s address)

DATE (must be dated for current year)

California Department of Resources Recycling and Recovery  
Waste Tire Enforcement Grant Program  
Financial Resources Management Branch, 9<sup>th</sup> Floor Attn: Donnell Duclo  
Post Office Box 4025  
Sacramento, CA 95812-4025

To Whom It May Concern:

Pursuant to Resolution **(Number XXX, dated XXX)**, adopted by the **(Name of Governing Body)** for **(Name of Applicant)**, I am authorized to execute all Grant-related documents necessary to apply for the Waste Tire Enforcement Grant, to secure Grant funds, to implement the approved Grant project and to delegate this authority. Accordingly, I hereby delegate this authority to the following individual: **(Title of delegate, not name of delegate)**.

Name & Title  
Name of Applicant  
Mailing Address  
City, State, Zip Code  
Telephone Number

Sincerely,

Name **(Signature Authority per Resolution)**  
Title

## Appendix B

### Collaborative Applications - Primary/Participating Collaborative Jurisdictions

A Participating Collaborative Jurisdiction is a jurisdiction that voluntarily allows an Applicant (Primary Collaborative Jurisdiction) to perform waste tire activities in its jurisdiction. Cities or Counties may submit Collaborative Applications listing Participating Collaborative Jurisdictions, but their applications must include authorization from the other cities and/or counties joining as Participating Collaborative Jurisdictions. If a jurisdiction is listed as a Participating Collaborative Jurisdiction on an Application, it cannot apply individually or as part of another Collaborative Application.

In addition to the Resolution for the Primary Collaborative Jurisdiction, in which the Primary Collaborative Jurisdiction is authorized by its Governing Body to act on behalf of the Participating Collaborative Jurisdictions, the Application must also include the following authorization documents for each Participating Collaborative Jurisdiction:

1. A Resolution from each Participating Collaborative Jurisdiction authorizing the Primary Collaborative Jurisdiction to act on its behalf as both Applicant and Grant Administrator (entity that implements the Grant Program); and,
2. If the Participating Collaborative Jurisdiction is within the County of an active TEA Grantee and the Primary Collaborative Jurisdiction is a different County or located in a different County, a Letter of Permission from the County Administrator's office stating that it agrees that the Primary Collaborative Jurisdiction may conduct waste tire enforcement activities in the Primary Participating Collaborative Jurisdiction and that it will not be performing such activities there.

The inclusion of the Participating Collaborative Jurisdiction(s) name(s) in the Primary Collaborative Jurisdiction's Resolution does not take the place of the required authorization document(s).

Following are Resolution and Letter of Permission examples that may be useful to Applicants.

## Resolution Example #1 - Primary Collaborative Jurisdiction

The following language is presented as an example only. Applicants are advised to consult with their organization's attorney.

WHEREAS, Public Resources Code sections 40000 et seq. authorize the Department of Resources Recycling and Recovery (CalRecycle), formerly known as the California Integrated Waste Management Board, to administer various Grant Programs (Grants) in furtherance of the state of California's (State) efforts to reduce, recycle and reuse solid waste generated in the State, thereby preserving landfill capacity and protecting public health and safety and the environment; and

WHEREAS, funds are allocated and available from the CalRecycle for Grants to cities, counties, and cities and counties with regulatory authority within the city and county government to perform enforcement/compliance and surveillance activities at waste tire facilities; and

WHEREAS, CalRecycle has been delegated the responsibility for the administration of the Program within the State; and

WHEREAS, in furtherance of this authority CalRecycle is required to establish necessary procedures governing the application, awarding and management of the Grants; and

WHEREAS, procedures established by the State and CalRecycle require each Applicant's governing body to certify by resolution its approval of the submittal of Grant Application to CalRecycle; and

WHEREAS, if awarded a Grant, the **(Name of Applicant)** for itself and on behalf of the participating jurisdictions will enter into an Agreement with CalRecycle for implementation of a regional waste tire enforcement program;

NOW, THEREFORE, BE IT RESOLVED that the **(Title of Governing Body)** authorizes the submittal of a Collaborative Application on behalf of the Participating Collaborative Jurisdictions (as shown by the attached authorizing Resolutions and Letters of Permission) to the California Department of Resources Recycling and Recovery for the Waste Tire Enforcement Grant.

BE IT FURTHER RESOLVED that the **(Title of Official)**, or its designee, is hereby authorized and empowered to execute in the name of the Participating Collaborative Jurisdictions all Grant-related documents, including, but not limited to, Applications, Payment Requests, Agreements, and Amendments necessary to secure Grant funds and to implement and carry out the purposes specified in the Grant Application.

BE IT FURTHER RESOLVED that these authorizations are effective for *(choose one of the following options)* 1) five (5) years from the date of adoption of this resolution **or** 2) for a period less than five years **(insert Time Period: from Month, Day, Year through Month, Day, Year)**. [Note: this provision is either/or; do not include both options.].

## Resolution Example for a Participating Collaborative Jurisdiction

The following language is presented as an example only. Applicants are advised to consult with their organization's attorney.

Note: Resolutions for Collaborative Jurisdictions are valid for one year only and must be submitted yearly with each cycle application, as applicable.

WHEREAS, Public Resources Code sections 40000 et seq. authorize the Department of Resources Recycling and Recovery (CalRecycle), formerly known as the California Integrated Waste Management Board, to administer various Grant Programs (Grants) in furtherance of the state of California's (State) efforts to reduce, recycle and reuse solid waste generated in the State, thereby preserving landfill capacity and protecting public health and safety and the environment; and

WHEREAS, funds are allocated and available from the CalRecycle for Grants to cities, counties, and cities and counties with regulatory authority within the city and county government to perform enforcement/compliance and surveillance activities of entities and/or individuals involved with the waste tire industry; and

WHEREAS, CalRecycle has been delegated the responsibility for the administration of the Program within the State ; and

WHEREAS, in furtherance of this authority CalRecycle is required to establish necessary procedures governing the application, awarding and management of the Grants; and

WHEREAS, procedures established by the State and CalRecycle require each Applicant's governing body to certify by resolution its approval of the submittal of Grant Application to CalRecycle; and

WHEREAS, **(Name of Primary Collaborative Jurisdiction)** has agreed to perform waste tire activities on behalf of **(Name of Participating Collaborative Jurisdiction)**;

NOW, THEREFORE, BE IT RESOLVED that the **(Name of Participating Collaborative Jurisdiction)** authorizes the **(Name of Primary Collaborative Jurisdiction)** to submit to the California Department of Resources Recycling and Recovery a Collaborative Application for the Waste Tire Enforcement Grant, Fiscal Year 2010/11 on its behalf.

BE IT FURTHER RESOLVED that the **(Name of Primary Collaborative Jurisdiction)** is hereby authorized and empowered to execute all Grant-related documents, including, but not limited to, Applications, Payment Requests, Agreements, and Amendments necessary to secure Grant funds and to implement and carry out the purposes specified in the Grant Application.

BE IT FURTHER RESOLVED that the **(Name of Primary Collaborative Jurisdiction)** is hereby authorized to conduct waste tire enforcement activities within the jurisdictional boundaries of **(Name of Participating Collaborative Jurisdiction)** during the term of Fiscal Year 2010/11 Waste Tire Enforcement Grant.

## Letter of Permission- from County Administrator's Office Example

*The following language is presented as an example only for when a Participating Collaborative Jurisdiction is located within a County that is an active TEA Grantee and the Primary Collaborative Jurisdiction is a different County or is located in a different County. Applicants are advised to consult with their organization's attorney.*

LETTERHEAD (Should include Applicant's address)

DATE

California Department of Resources Recycling and Recovery  
Waste Tire Enforcement Grant Program  
Financial Resources Management Branch, 9<sup>th</sup> Floor  
Post Office Box 4025  
Sacramento, CA 95812-4025

To Whom It May Concern:

The **(Name of County)** is an active Waste Tire Enforcement Grantee and agrees that **(Name of Primary Collaborative Jurisdiction)** may perform waste tire enforcement activities within **(Name of Participating Collaborative Jurisdiction)** and that the **(Name of County)** will not perform such activities in **(Name of Participating Collaborative Jurisdiction)** during Fiscal Year 2010/11.

Sincerely,

County Administrator