RESOLUTION NO. 2012-32

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CLARA DELEGATING AUTHORITY TO THE DIRECTOR OF THE DEPARTMENT OF AGRICULTURE AND ENVIRONMENTAL MANAGEMENT, OR DESIGNEE, TO AMEND, TERMINATE, AND TAKE ANY AND ALL NECESSARY OR ADVISABLE ACTIONS RELATING TO AGREEMENT FOR COUNTYWIDE HOUSEHOLD HAZARDOUS WASTE COLLECTION PROGRAM

WHEREAS, the County Board of Supervisors has approved a Countywide Household Hazardous Waste Collection (HHW) Program whereby residents of the County and participating jurisdictions will have an opportunity to safely dispose of household hazardous wastes; and

WHEREAS, the participating jurisdictions desire to provide residents with convenient opportunities to safely dispose of their household hazardous waste (HHW) in order to encourage the proper disposal of toxic products, and avoid unauthorized or improper disposal in the garbage, sanitary sewer, storm drain system, or on the ground, in a manner which creates a health or environmental hazard; and

WHEREAS, the participating jurisdictions desire to provide a safe, convenient, and economical means for residents to dispose of household hazardous wastes. These wastes include, but are not limited to, common household products such as household cleaning products, spot remover, furniture polish, solvents, oven cleaner, pesticides, oil based paints, motor oil, antifreeze, car batteries, mercury thermostats, fluorescent lamps, household batteries, and electronic waste; and

WHEREAS, the participating jurisdictions desire to schedule Household Hazardous Waste Collection Events (Events) for residents for Fiscal Years 2013, 2014, and 2015 (July 1, 2012 – June 30, 2015); and

WHEREAS, the participating jurisdictions desire to provide household hazardous waste collection services to a minimum of 4% of the households per fiscal year in each participating jurisdiction; and

WHEREAS, the County Board of Supervisors has approved a Countywide AB939 Implementation Fee, as authorized by Public Resources Code 41901, to be collected at $4.10 in Fiscal Years 2013, 2014, and 2015 on each ton of waste landfilled or incinerated within the county, received at any non-disposal or collection facility located within the county and subsequently transported for disposal or incineration outside of the county, collected from any location within the county by a solid waste hauler operating pursuant to a franchise, contract, license, or permit issued by any local jurisdiction and
subsequently transported for disposal or incineration outside of the county, or removed from any location in the county by any person or business for disposal or incineration outside the county.

WHEREAS, the County Board of Supervisors has approved that $1.50 of the Countywide AB939 Implementation Fee would fund local jurisdictions’ AB939 compliance activities and $2.60 of the Fee would fund countywide household hazardous waste services.

WHEREAS, the Board of Supervisors may delegate contracting authority to County officials, and has done so from time to time as deemed necessary and in the interests of the County; and

WHEREAS, delegating authority to the Director of the Department of Agriculture and Environmental Management, or designee, to amend, terminate, and take any and all necessary or advisable actions relating to Agreement for Countywide Household Hazardous Waste Collection Program, following approval by County Counsel as to form and legality and approval by the Office of the County Executive, would facilitate continuity of services.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CLARA:

1. The Board of Supervisors of the County of Santa Clara approves entering into the Agreement for Countywide Household Hazardous Waste Collection Program with the participating jurisdictions; and,

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2. The Board of Supervisors delegates authority to the Director of the Department of Agriculture and Environmental Management to amend, terminate, and take any and all necessary or advisable actions regarding the Agreement for Countywide Household Hazardous Waste Collection Program with each jurisdiction, following approval by County Counsel as to form and legality, and approval by the Office of the County Executive, and that said delegation of authority shall expire on June 30, 2015.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Clara, State of California, on __________ by the following vote:

AYES: Supervisors CORTESE, KNISS, SHIRAKAWA, WASSERMAN, YAGER

NOES: Supervisors NONE

ABSENT: Supervisors NONE

ABSTAIN: Supervisors NONE

George Shirakawa, President
Board of Supervisors

ATTEST:

LYNN REGADANZ
Interim Clerk of the Board of Supervisors

APPROVED AS TO FORM AND LEGALITY:

Mark Bernal
Deputy County Counsel