[Accept and Expend Grant - PaintCare, Inc. - Safe Disposal Options for Household Hazardous Waste - \$718,717]

Resolution retroactively authorizing the Department of the Environment to accept and expend a grant in the amount of \$718,717 from PaintCare, Inc., to provide and promote safe disposal options for household hazardous waste for the term of October 1, 2015, through June 2, 2016.

WHEREAS, California Public Resources Code, Section 48700, et seq. establishes the California Architectural Paint Recovery Program (the "Program") to require paint manufacturers to develop and implement a program to collect, transport, and process postconsumer paint to reduce the costs and environmental impacts of the disposal of postconsumer paint in this state; and

WHEREAS, The paint manufacturing industry established PaintCare, Inc., a non-profit organization, to manage the Program and contract with existing providers of postconsumer paint management services; and

WHEREAS, San Francisco, through the Department of the Environment, operates a Household Hazardous Waste ("HHW") Program which has provided, since 1988, management of postconsumer paint generated by San Francisco residents and small businesses; and

WHEREAS, PaintCare desires to utilize the existing facilities and services for HHW management which San Francisco has developed in coordination with Recology San Francisco ("Recology") and which Recology operates on behalf of San Francisco under the terms of a written Agreement, most recently revised in June of 2014; and

WHEREAS, In June of 2014 San Francisco, through the Department of the Environment, entered into a two-year revenue contract with PaintCare to provide for partial

reimbursement of costs incurred in management of postconsumer paint collected through San Francisco's HHW Program; and

WHEREAS, The estimated amount of reimbursement revenue to be received by the Department of the Environment under this Contract is \$718,717; and

WHEREAS, The City established a 3-year annual Toxics Collection Incentive in the 2013 refuse rate adjustment in order to increase the amount of paint, batteries, and mercury-containing lights collected from San Francisco residents by Recology; and

WHEREAS, This Incentive is to be paid for solely by, and only to the limit of, reimbursements received by the Department of the Environment under the PaintCare Contract and from other product stewardship organizations, if any; and

WHEREAS, The City has been receiving PaintCare reimbursements since August of 2014 for the period starting June 4, 2014; and

WHEREAS, Recology has not been able to increase the amount of paint, batteries, and lights collected and is, therefore, not eligible for the annual Incentive for Fiscal/Rate Years 2013-2014 and 2014-2015, although they may still be eligible for the annual incentive for Fiscal/Rate Year 2015-2016 if specified weight collection goals are met; and

WHEREAS, The 2013 refuse rate adjustment process allows for alternate uses of the PaintCare reimbursements if Recology is not eligible for one or more annual Incentives; and

WHEREAS, In March of 2015, San Francisco passed the Safe Drug Disposal Stewardship Ordinance which requires drug manufacturers to provide, by December of 2016, a permanent program for the collection and disposal of unwanted pharmaceuticals from San Francisco residents; and

WHEREAS, San Francisco, through the Department of the Environment and the San Francisco Police Department, has operated a Pilot Program for the safe disposal of homegenerated pharmaceuticals since April of 2012 using funds from a separate grant; and

WHEREAS, San Francisco desires to continue to provide safe medicine disposal services to City residents through the Pilot Program until the permanent program required by the Ordinance is active; and

WHEREAS, The Department of the Environment will have unbudgeted expenses to implement the Ordinance, including mailings and temporary staff, to engage the responsible parties named in the Ordinance and to review and approve the permanent program required by the Ordinance; and

WHEREAS, The grant does not require an Annual Salary Ordinance (ASO) amendment; and

WHEREAS, The term of this grant is from October 1, 2015, to June 2, 2016; and WHEREAS, The budget includes indirect costs of \$100,500; now, therefore, be it RESOLVED, That pursuant to Administrative Code section 10.170-1, the Board of Supervisors authorizes the Department of the Environment to accept and expend a grant in the amount of up to \$718,717 from PaintCare, to effectuate the Contract and implement the Toxics Collection Incentive or alternate projects to provide and promote safe disposal options for household hazardous waste, including pharmaceutical and other dangerous wastes, for the benefit of residents of the City and County of San Francisco.

APPROVED:

Office of the Mayor

Office of the Controller



## City and County of San Francisco **Tails**

City Hall 1 Dr. Carlton B. Goodlett Place San Francisco, CA 94102-4689

## Resolution

File Number:

151089

Date Passed: November 17, 2015

Resolution retroactively authorizing the Department of the Environment to accept and expend a grant in the amount of \$718,717 from PaintCare, Inc., to provide and promote safe disposal options for household hazardous waste for the term of October 1, 2015, through June 2, 2016.

November 04, 2015 Budget and Finance Committee - RECOMMENDED

November 17, 2015 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 151089

I hereby certify that the foregoing Resolution was ADOPTED on 11/17/2015 by the Board of Supervisors of the City and County of San Francisco.

> Angela Calvillo Clerk of the Board

**Date Approved**