



# Resource Management Agency

## COUNTY OF TULARE AGENDA ITEM

### BOARD OF SUPERVISORS

LARRY MICARI  
District One

PETE VANDER POEL  
District Two

AMY SHUKLIAN  
District Three

EDDIE VALERO  
District Four

DENNIS TOWNSEND  
District Five

**AGENDA DATE:** April 1, 2025 – REVISED

Public Hearing Required	N/A
Scheduled Public Hearing w/Clerk	N/A
Published Notice Required	N/A
Advertised Published Notice	N/A
Meet & Confer Required	N/A
Budget Transfer (Aud 308) attached	Yes
Personnel Resolution attached	N/A
Agreement(s) attached	N/A

CONTACT PERSON: Celeste Perez PHONE: (559) 624-7010

**SUBJECT:** Accept grant funding from the State of California Department of Resources Recycling and Recovery

**REQUEST(S):**

That the Board of Supervisors:

1. Accept Grant funding in the amount of \$119,626 from State of California Department of Resources Recycling and Recovery (CalRecycle) for the Farm and Ranch Solid Waste Cleanup and Abatement Grant Program to abate illegal dumping on three private properties.
2. Authorize the Chair to sign the agreement electronically.
3. Direct the Resource Management Agency to submit the executed agreement to the Clerk of the Board.
4. Approve the necessary budget adjustments per the attached AUD 308 (4/5ths vote required).

**SUMMARY:**

On October 8, 2024, Tulare County Board of Supervisors approved resolutions (No. 2024-0940 and No. 2024-0941) authorizing the submission of a grant application (attached) as well as approved and authorized the execution of a funding agreement (Attachment C) with Department of Resources Recycling and Recovery (CalRecycle). On February 6, 2025, Tulare County Resource Management Agency (RMA) was notified of an award in the amount of \$119,626 for the Farm and Ranch Solid Waste Cleanup and Abatement Grant Program. The resolution designated the RMA Director as an Authorized Representative to return to the Board for approval of all agreements relating to this grant.

County Counsel has reviewed the funding agreement and has approved as to form. This

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Agreement deviates from County protocol in the following ways:

1. The County signs first.
2. CalRecycle director or designee may terminate the Agreement at their sole discretion upon 30 days' written notice to County.
3. The State will keep a 10% fund retention until the project is complete. If the agreement is terminated by the CalRecycle Director, this retention may be forfeited.
4. The County must defend, indemnify, and hold harmless the State, and its officers, agents, and employees in connection with the Agreement.
5. The County irrevocably waives sovereign immunity in favor of CalRecycle and parties acting on behalf or under authorization from CalRecycle, as to any dispute specifically arising under the Agreement.
6. Monetary damages are limited to actual direct damages that do not exceed the total amount of the award under the Agreement.
7. The County consents to jurisdiction in the State Superior Court of Sacramento County, including appellate proceedings.
8. The statute of limitations for bringing any action, administrative or civil, to enforce the terms of the Agreement or to recover any amounts determined to be owed to CalRecycle as the result of any audit of the grant covered by this Agreement shall be tolled during the period of any audit resolution, including any appeals by the grantee to the Director.
9. County waives all claims and recourse against State, its officials, officers, employees, and agents, including, but not limited to, loss or damage to persons or property in any way connected to the Agreement.
10. The County must allow the State to access any site at which the grant funds are expended. Property owners were required to sign a waiver allowing access in order to participate in this program.

The Grant Program will reimburse costs associated with a qualified contractor removing illegally dumped waste from three identified properties that are zoned for agriculture use, as well as administrative costs. In the grant application, RMA specified three private properties in need of abatement which met the criteria for the CalRecycle Program. The total proposed budget is for all grant-related activities to be completed by June 30, 2025.

**FISCAL IMPACT/FINANCING:**

The attached AUD 308 requests an increase of \$119,626 in revenues and expenditures. There is no additional net county cost.

**LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:**

The County's Strategic Plan includes an initiative to provide for the safety and security of the public, which includes the goal of providing clean and safe public right of way.

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**ADMINISTRATIVE SIGN-OFF:**

**/s/ Michael Washam**

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Michael Washam, ACE  
Associate Director

**/s/ Reed Schenke**

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Reed Schenke, P.E.  
Director

Cc: County Administrative Office

Attachment A: Resolution No's 2024-0940 & 2024-0941

Attachment B: AUD 308

Attachment C: Agreement