



# City of Sacramento City Council

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915 I Street, Sacramento, CA, 95814  
[www.CityofSacramento.org](http://www.CityofSacramento.org)

**Meeting Date:** 4/12/2011

**Report Type:** Consent

**Title:** CALRecycle Co. Disposal Clean Up Grant Application for Dellar Property

**Report ID:** 2011-00311

**Location:** District 3

**Recommendation:** Adopt a Resolution: 1) authorizing the City Manager or designee to submit applications to the California Department of Resources Recycling and Recovery (CALRECYCLE) Solid Waste Disposal and Co-Disposal Site Cleanup Program grant in an amount not to exceed \$750,000; 2) authorizing the City Manager or designee to execute all agreements necessary to accept and appropriate the grant funds from CalRecycle contingent upon receipt of grant award; 3) authorizing the City Manager or designee to establish related grant revenue and expenditure budgets in the Dellar Landfill Closure CIP (Y14000700) for the Solid Waste Disposal and CoDisposal Site Cleanup Program grant in an amount not to exceed \$750,000, if awarded; and 4) approving the Resolution required by CALRECYCLE.

**Contact:** William Skinner, Interim Integrated Waste General Manager, (916) 808-4932; Marty Strauss, Integrated Waste Planning Superintendent, (916) 808-4934, Department of Utilities

**Presenter:** None

**Department:** Department Of Utilities

**Division:** Solid Waste Administrative Svc

**Dept ID:** 14001711

**Attachments:**

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- 1-Description/Analysis
- 2-Background
- 3-Resolution

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### City Attorney Review

Approved as to Form  
Janeth D. San Pedro  
4/4/2011 9:14:21 AM

### City Treasurer Review

Prior Council Financial Policy Approval or  
Outside City Treasurer Scope  
Russell Fehr  
3/25/2011 11:40:04 AM

### Approvals/Acknowledgements

Department Director or Designee: Marty Hanneman - 3/31/2011 3:53:37 PM

Assistant City Manager: John Dangberg - 3/31/2011 5:22:30 PM

Eileen Teichert, City Attorney

Shirley Concolino, City Clerk  
Gus Vina, Interim City Manager

Russell Fehr, City Treasurer



## Description/Analysis

**Issue:** The City of Sacramento disposed of waste in the Dellar Landfill from 1957 to 1963 pursuant to an agreement between the City and the property owner at that time. Both the City and Dellar Trust are identified in a Corrective Action Order from the Central Valley Regional Water Quality Control Board as co-responsible parties for the closure of the landfill on the Dellar property.

The Department of Utilities, Solid Waste Division, in cooperation with the Dellar Trust, submitted a grant application to the California Department of Resources Recycling and Recovery CALRECYCLE's Solid Waste and Co-Disposal Site Clean Up Grant Program for an amount not to exceed \$750,000 to assist in the financing of the closure plan for the Dellar Landfill.

The deadline to submit the grant application was March 15, 2011. The signed resolution is required by April 15, 2011 to complete the grant application. However, earlier in the year the Elder Berry Beetle was found on the property and therefore an alternative closure plan was designed to address the Elder Berry Beetle, a listed endangered species by the Federal Endangered Species Act. To address the Elder Berry Beetle an alternative closure plan was submitted to the Central Valley Regional Water Quality Control Board and conceptually approved. This grant application is for the alternative closure plan that addresses the Elder Berry Beetle.

**Policy Considerations:** The closure of the Dellar Landfill will prevent rain water from percolating through the waste and protect the ground water from contamination, thereby protecting the City's drinking water.

The estimated total cost to close the landfill by grading it to drain is approximately \$2.8 million. Funds received through the grant will lower the direct cost to the City of the closure work by up to \$750,000, which is financed through Solid Waste Rates, and therefore help stabilize monthly rates for solid waste services.

**Environmental Considerations:** This report recommends submittal of a grant application; therefore it concerns administrative activities that do not constitute a "project", as defined by CEQA Guidelines sections 15061(b)(3); 15378(b)(2).

**Sustainability:** Closure of the Dellar Landfill will contribute to the protection of the City's ground water.

**Commission/Committee Action:** None

**Rationale for Recommendation:** Approval of the Resolution will complete the grant application submitted to CALRECYCLE, and allow the application to be ranked so that the City can be considered for the award of funds to help finance the closure cost of the Dellar Landfill.

**Financial Considerations:** As a requirement of the grant application, the City has to provide a one to one in matching grant funds. Solid Waste has sufficient funds in the Dellar Landfill Closure CIP (Y14000700) to provide the matching grant funds. Contingent upon receipt of funds, the City Manager or his/her designee is authorized to establish related grant revenue and expenditure budgets in the Dellar Landfill Closure CIP (Y14000700) for the Solid Waste Disposal and CoDisposal Site Cleanup Program grant in an amount not to exceed \$750,000.

**Emerging Small Business Development (ESBD):** Not Applicable.

## Background

The Dellar Landfill is 29 acres located at A and 23<sup>rd</sup> Street, directly west of the City's 28<sup>th</sup> Street Landfill, as shown on Attachment 1. The site was used to dispose of City waste from 1957 through 1963. This was done through an agreement between the City and the property owner at that time.

In May 2008 the Central Valley Regional Water Quality Control Board (CVRWQCB) issued a Clean Up and Abatement Order to both the City of Sacramento and the Dellar Trust, (current owner of the Dellar Landfill). The Clean Up and Abatement Order requires the property to be capped and graded to drain. In response the Dellar Trust and the Department of Utilities prepared closure plans showing the cap and grade to drain construction drawings and submitted them to the CVRWQCB for review and approval. The Engineering Estimated Cost to complete the closure plan as designed is \$2.8 million. Funds received from the CALRECYCLE will be used to pay for a portion of the closure and post closure environmental monitoring cost.

The closure plan consists of grading the property to drain. This will require burying exposed waste and grading the property to a three percent slope.



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Dellar Property

Harbor Sand & Gravel

28th street  
Closed Landfill



Landfill Boundry

28th Street Landfill / Dellar Property







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## **RESOLUTION NO.**

Adopted by the Sacramento City Council

### **AUTHORIZATION TO SUBMIT SOLID WASTE DISPOSAL AND CO-DISPOSAL SITE CLEANUP GRANT APPLICATION TO CALRECYCLE**

#### **BACKGROUND**

- A. The City of Sacramento is named co-responsible party for clean up and abatement of the Dellar Landfill in a corrective action letter from the Central Valley Regional Water Quality Control Board.
- B. The City of Sacramento disposed of waste in the Dellar Landfill from 1957 to 1963 pursuant to an agreement between the City and the former property owner prior to the Dellar Trust.
- C. City of Sacramento, Department of Utilities and the Dellar Trust have submitted a joint proposal to the Central Valley Regional Water Quality Control Board (RWQCB) for the cleanup of the property and is waiting for the response from the RWQCB before proceeding with final engineering design to grade the property to drain.
- D. The estimated total cost to close the landfill by grading it to drain is approximately \$2.8 million.
- E. The City may be eligible for funding under the Solid Waste Disposal and CoDisposal Site Cleanup Program administered by the California Department of Resources Recycling and Recovery (CALRECYCLE) that provides financial assistance in the form of reimbursement grants up to \$750,000 in matching funds for eligible costs to assist public entities requiring financial assistance, and committed to accelerating the pace of cleanup, restoring sites, and protecting the public health and safety and the environment.

#### **BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:**

- Section 1     The City Manager or his/her designee is authorized to submit applications to the California Department of Resources Recycling and Recovery (CALRECYCLE) Solid Waste Disposal and Co-Disposal Site Cleanup Program grant in an amount not to exceed \$750,000.
- Section 2     The City Manager or his/her designee is authorized to execute all agreements necessary to accept and appropriate the grant funds from

CalRecycle contingent upon receipt of grant award.

Section 3 The City Manager or his/her designee is authorized to establish related grant revenue and expenditure budgets in the Dellar Landfill Closure CIP (Y14000700) for the Solid Waste Disposal and Co-Disposal Site Cleanup Program grant in an amount not to exceed \$750,000, if awarded.

Section 4 The Resolution required by CALRECYCLE, attached as Exhibit A and made a part of this Resolution, is approved.

Exhibit A CALRECYCLE Resolution

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE SACRAMENTO CITY COUNCIL APPROVING THE APPLICATION FOR GRANT FUNDS FROM THE SOLID WASTE CLEANUP PROGRAM for the following project:

Dellar Landfill Closure

WHEREAS, the people of the State of California have enacted Assembly Bill 2136 (Eastin, Stats. 1993, Ch. 655) that authorizes the Department of Resources Recycling and Recovery (CalRecycle) to initiate and administer a program for cleanup of solid waste disposal sites and for cleanup of solid waste at co disposal sites where the responsible party either cannot be identified or is unable or unwilling to pay for timely remediation, and where cleanup is needed to protect public health and safety or the environment; and

WHEREAS, said procedures established by CalRecycle require the applicant to certify by resolution the approval of the submittal of the application before submission to the State of California; and

WHEREAS, the applicant will enter into an agreement with the State of California for the site cleanup;

NOW, THEREFORE, BE IT RESOLVED that the CITY OF SACRAMENTO CITY COUNCIL HEREBY:

1. Approves the filing of an application for the cleanup of solid waste using funds from the Solid Waste Cleanup Program for the project specified above; and
2. Certifies that said applicant has or will have matching funds for the project, plus funds to pay for all ineligible work and eligible work in excess of the grant awarded; and
3. Certifies that said applicant has or will have sufficient funds to operate and maintain the project; and
4. Appoints the City Manager or his/her designee, as agent of the City of Sacramento City Council to conduct all negotiations, execute and submit all documents including, but not limited to applications, grant agreements, amendments, payment requests and so on, which may be necessary for the completion of the aforementioned project.

Approved and Adopted this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

I the undersigned, hereby certify that the foregoing Resolution Number \_\_\_\_\_ was duly adopted by the City of Sacramento City Council on \_\_\_\_\_, 2011 by the following vote:

Ayes:

Noes:

Abstain:

Absent:

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