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Department of Resources Recycling and Recovery

Beverage Container Recycling City/County Payment Program Program Guidelines Fiscal Year 2019–20

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Cycle Overview

Submittal of a Beverage Container Recycling City/County Payment Program (Program) Application constitutes acceptance of these Guidelines as the controlling requirements for receiving, spending, and accounting for funds and for reporting. The on-line funding request application and these Guidelines shall constitute the Agreement.

Overview and Statutory Authority

Pursuant to Public Resources Code (PRC) section 14581(a)(3)(A) of the California Beverage Container Recycling and Litter Reduction Act, the Department of Resources Recycling and Recovery (CalRecycle) is distributing \$10,500,000 in fiscal year (FY) 2019-20 to eligible cities and counties specifically for beverage container recycling and litter cleanup activities.

The goal of CalRecycle's beverage container recycling program is to reach and maintain an 80 percent recycling rate for all California Refund Value beverage containers – aluminum, glass, plastic and bi-metal. Projects implemented by cities and counties will assist in reaching and maintaining this goal.

These Guidelines describe the application and administrative processes to implement the Program. Recipients are responsible and accountable for ensuring that expenditures are appropriate, and that proper internal supporting documentation is maintained. To ensure full compliance with the processes and requirements, recipients must adhere to these Guidelines and the provisions set out in PRC 14581 et al.

Timeline and Cycle Activity

Date	Activity
December 2, 2019	Funding Request Open Date
March 2, 2020	Funding Request Due Date
April 2020	Payment Awards and Beginning of Term (Request for Approval Date) <ul style="list-style-type: none">• Program expenditures may start no earlier than the date of the award.
June – July 2020	Payments Distributed
March 1, 2022	Term End Date
April 1, 2022	Reporting Due Date

Eligibility

Eligible applicants include cities, counties, or cities and counties in California, as identified by the California Department of Finance, unless otherwise determined by CalRecycle.

[California Labor Code section 1782](http://www.leginfo.ca.gov/pub/13-14/bill/sen/sb_0001-0050/sb_7_bill_20131013_chaptered.pdf) (http://www.leginfo.ca.gov/pub/13-14/bill/sen/sb_0001-0050/sb_7_bill_20131013_chaptered.pdf) prohibits a charter city from receiving state funding or financial assistance for construction projects if that charter city does not comply with Labor Code sections 1770-1782. If any applicants or participating jurisdictions are charter cities or joint powers authorities that include

charter cities, the lead participating jurisdiction must certify on the Detail tab of the application that Labor Code section 1782 does not prohibit any included charter city from receiving state funds for the project described in this application. If it is determined after award that an applicant or participating jurisdiction is a charter city prohibited from receiving state funds for this grant project, the grant will be terminated and any disbursed grant funds shall be returned to CalRecycle.

Regional Application Requirements

Local governments may join together in a regional application in which two or more eligible jurisdictions join together for the purpose of project implementation. A Regional Lead Participant (Lead) must be designated to act on behalf of all participating jurisdictions. The Lead is the applicant/recipient who will be responsible for the performance of the Program and all required documentation. CalRecycle will direct all official correspondence and payments to the Lead. If a jurisdiction is a participant in a regional application, it may not apply individually.

Available Funds

- \$ 10,500,000 is available for this fiscal year 2019–20, subject to funding availability.
- Each city is eligible to receive \$5,000 or an amount calculated by CalRecycle, on a per capita basis, whichever is greater.
- Each county is eligible to receive \$10,000 or an amount calculated by CalRecycle, on a per capita basis, whichever is greater.

The calculation is based upon the population in the incorporated areas of a city, or a city and county, or the unincorporated area of a county as of January 1, 2019 (Department of Finance E-1 Population Estimates for Cities, Counties and the State with Annual Percent Change – January 1, 2018 and 2019. Sacramento, California, May 2019.)

Term

The term begins from the date of the award and ends on March 1, 2022. Eligible costs must be incurred no later than March 1, 2022.

Recipients are notified by email once the awards are approved and will be provided the listing of the awarded amounts.

Public Records Requests

It is the policy of CalRecycle to make records requested by the public promptly available in accordance with the [laws](#) (<https://www2.calrecycle.ca.gov/Forms/ContactUs/PublicRecordsRequest/>) governing disclosure of records and information to the public. In general, all records in the possession of a state agency are public records subject to disclosure, unless a law provides that a particular kind of record or information is not a public record or is exempt or prohibited from disclosure. Upon request, the entire contents of your submitted application are subject to public records requests. This may include contact information, project summary, uploaded documents, and scoring information.

Confidentiality

CalRecycle appreciates applicants' desire to treat certain documents provided to CalRecycle as confidential. The following describes the treatment of certain confidential or proprietary information under the California Public Records Act (Government Code 6250, et seq.) and related regulations. It also describes how questions are resolved on whether information is truly confidential, the legal protections for confidential information, and internal and program procedures to maintain confidentiality.

Confidential or Proprietary Information

Title 14 of the California Code of Regulations (14 CCR), [sections 17041-17046](#), states that confidential or proprietary information shall include, but is not limited to:

1. Personal or business-related financial data, customer client lists, supplier lists and other information of a proprietary or confidential business nature provided by persons in applications, reports, returns, certifications or other documents submitted to [CalRecycle] which if released would result in harmful effects on the person's competitive position.
2. Tax information prohibited from disclosure, pursuant to the Revenue and Taxation Code.

Accordingly, appropriate documents submitted with an application that are clearly marked, on each page, "confidential or proprietary information" will be treated by CalRecycle pursuant to the procedures set forth in 14 CCR sections 17041 17046. However, the mere marking of documents (such as sales brochures, promotional literature and other general non-financial documents) as "confidential or proprietary information" will not result in their being treated as confidential if they do not fall within the categories of protected financial documents listed above.

What if there is a question about what is confidential?

If CalRecycle receives a request to disclose data claimed by the applicant to be confidential, CalRecycle would notify the applicant of the request and state that the documents were under review to determine whether information was correctly identified as "confidential." If there was any question whether specific information was confidential, CalRecycle would contact the person(s) identified in the application to provide a justification and statement why the information is confidential. The process for evaluating confidentiality claims is set forth in 14 CCR 17046.

What program procedures will keep information confidential?

Financial information will be evaluated and analyzed only by CalRecycle staff, kept confidential, and will be maintained with restricted access. Grantee businesses agree to provide specific key financial information for three years to develop benchmarks to evaluate the program (edit as needed for your program). Records no longer needed to provide the services offered under the grant program are periodically destroyed, when allowed by audit policies and state law.

Application Process

Application Access

Cities and counties may apply for Program funds by completing a Funding Request in the web-based City/County Annual Payment and Reporting System (CAPRS). Access to CAPRS is secure; therefore, the applicant must have a CalRecycle WebPass in order to log in.

- First time users of CAPRS must contact the [CalRecycle Regional Representative](https://www2.calrecycle.ca.gov/BevContainer/Grants/CityCountyContacts/) (<https://www2.calrecycle.ca.gov/BevContainer/Grants/CityCountyContacts/>) and request access to CAPRS. After the request is received and approved, a WebPass invitation will be sent along with an email granting access to CAPRS.
- Returning users can immediately login into CAPRS.

Note: WebPass accounts are created for individuals, not organizations, and are tied to the individual's specific email address. If the individual's email address changes or becomes inactive, a new WebPass account is needed to access CAPRS. All individuals must create their own password. Passwords should not be shared within the organization. Access cannot be granted to the on-line application unless the applicant is designated as a contact in CAPRS.

The components of the Funding Request are divided into tabs. To fill out a Funding Request, click on each tab and complete the sections in each tab as required. General instructions are on the top of each page. A complete Funding Request application includes a Funding Request Certification signed by the applicant's signature authority and a valid Resolution. Additional documents may be required. See the Authorizing Documents section.

Funding Requests must be submitted no later than 11:59 p.m. on March 2, 2020. The system will not allow any Funding Requests to be submitted after the deadline (PRC section 14581(a)(3)(E)). Customer service will be available until 4:00 p.m. on the application due date either by emailing [grant assistance](#) or calling Ms. Melissa Sanford at (916) 341-6104.

Funding Request Tab

This tab provides a summary of the funding status, eligible Program funds, due dates, program requirements, checklist, contacts, addresses, documents, region information, and a link to this document, the Beverage Container Recycling City/County Payment Program Guidelines. It is the applicant's responsibility to ensure that all required documents, based on the individual or regional application, are submitted by the appropriate due date.

To begin, click the Edit button. Start with the Funding Request Type and use the drop down to select either Individual or Regional.

Note: If the applicant selected Regional as the Funding Request Type, a new tab titled Participating Jurisdictions will be added to the row of tabs. This is where the participating jurisdictions are selected, and their authorizing documents are uploaded.

Contacts Tab

A contact may be the city or county recycling coordinator, lead agency, or Joint Powers Authority. One staff person may serve as more than one contact. Contacts may be updated before a Funding Request is submitted by updating the Contacts tab in the Funding Request.

Contact Types are as follows.

- **Signature Authority.** The person(s) authorized to sign CalRecycle documents, such as Funding Request Certification and Expenditure Reporting Certification, etc., as authorized by a board/council-adopted Resolution or Letter of Designation.
- **Primary Contact.** One person who has been authorized by the Signature Authority/Designee to manage and oversee the Program. This person will be the first contact with whom the CalRecycle Regional Representative will communicate.
- **Secondary Contact.** A person authorized (by the Primary Contact or Signature Authority/Designee) as the alternate person with whom the CalRecycle Regional Representative will communicate. (Not required)

Addresses Tab

A payment and a physical address are required. Payments will be mailed to the payment address. To comply with the requirements of Chapter 8400 of the State Administrative Manual (Warrants Payable to Counties), the county treasurer's address will be identified as the payment address for counties. If one address is used for more than one payment type, only enter the address once, and check the appropriate address types.

Activities Tab

Pursuant to PRC section 14581(a)(3)(C), these funds shall not be used for activities unrelated to beverage container recycling or litter reduction. Approved activities are listed in the Activities tab, by category, in the Funding Request. The Other field is provided to allow additional activities to be listed. These are subject to approval by CalRecycle.

Eligible activities include, but are not necessarily limited to:

- New or existing curbside recycling programs.
- Neighborhood drop-off recycling programs.
- Public education promoting beverage container recycling.
- Litter reduction and cleanup where the waste stream includes beverage containers that will be recycled.
- Cooperative regional efforts among two or more cities and counties.
- Other beverage container recycling programs.
- Supporting AB 341 Mandatory Commercial Recycling (MCR) requirements. For additional information on MCR and definitions of "businesses" and "multi-family residential dwellings" as they relate to this regulation, see [Mandatory Commercial Recycling](https://www.calrecycle.ca.gov/Recycle/Commercial/) (<https://www.calrecycle.ca.gov/Recycle/Commercial/>).

Documents Tab

When uploading a document, enter a document title, select the appropriate document type from the drop-down list, and enter the date that it was executed/signed. Below is a list of documents that the applicant is responsible for preparing and uploading to the

Documents tab. Payment program-specific examples can be found on our [Resolution and Letter Examples](https://www.calrecycle.ca.gov/funding/sampledocs) webpage (https://www.calrecycle.ca.gov/funding/sampledocs).

Authorizing Documents

Electronic and Original Signatures

CalRecycle documents or forms that certify legally binding information require an original wet ink signature. If a signature block with penalty of perjury language is provided, please provide a wet ink signature. CalRecycle will accept electronic signatures on all other documents. If you have questions, email grantassistance@calrecycle.ca.gov.

Funding Request Certification

The Funding Request Certification is a required document that must be generated from CAPRS. After each tab of the application is complete and documents are uploaded, generate the Funding Request Certification from the Funding Request tab. A wet signature from the authorized Signature Authority (identified in your resolution or Letter of Designation) is required, then scan the document, upload to the Documents tab, and retain the original hard copy document.

Resolution

Any applicant that is subject to a governing body must upload a Resolution that authorizes specific payment program-related matters. A copy of the authorizing Resolution is a required document that must be uploaded no later than Funding Request due date or the application will be deemed incomplete and will be disqualified. Resolution requirements vary for individual and regional applications. See the **Resolution and Letter Examples** link for more information. CalRecycle staff are available to answer questions about the Resolution or letter examples, or to review your draft Resolution to ensure it meets the requirements of the grant program. You may upload the Resolution to your application as a Draft Resolution or for immediate review email it to grantassistance@calrecycle.ca.gov.

Individual Application Requirements:

Use the Payment Program Individual Resolution template.

1. The Resolution must authorize submittal of the payment program application.
2. The Resolution must identify the Signature Authority by listing the job title of the person(s) authorized to sign all payment program related documents necessary to implement and secure payment.
3. The Resolution can be effective until rescinded or specify an end date of no more than five years. If an end date is not specified, then it will be valid for one year.

(Optional but encouraged) The Resolution should authorize the Signature Authority to delegate his/her signature authority to another person identified by job title.

Note: The Signature Authority must sign a Letter of Designation **prior** to the Designee's exercise of his/her authority.

Regional Application Requirements:

Use the Payment Program Regional Lead Resolution template.

1. The Regional Lead Participant (Lead) must submit an approved Resolution that authorizes it to act as a lead for a regional program. This Resolution authorizes submittal of a regional application on behalf of the Lead and specifically named participants and includes authorization letters from the participating jurisdictions authorizing the Lead to act on their behalf for this cycle.
2. If the Resolution is valid for more than one year, it is highly recommended a) that the list of participants be provided as an attachment rather than embedded in the Resolution, and b) that the Signature Authority be authorized to revise the list as necessary with each subsequent application (this allows a Signature Authority to add or remove participants with each new application without the necessity of obtaining a new Resolution).
3. Participants subject to a governing body must provide a Letter of Authorization or a Regional Participant Resolution to the Lead authorizing the Lead to act on its behalf for this cycle.
4. It must identify the Signature Authority by listing the job title of the person(s) authorized to sign all payment program related documents necessary to implement and secure payment.
5. The Resolution can be effective until rescinded or specify an end date no more than five years. If an end is not specified, then it will be valid for one year.

(Optional but encouraged) The Resolution should authorize the Signature Authority to delegate his/her signature authority to another person identified by job title.

Note: The Signature Authority must sign a Letter of Designation **prior** to the Designee's exercise of his/her authority.

Letter of Authorization or Regional Participant Resolution

For Regional applications, a Letter of Authorization or Regional Participant Resolution may be used. It is prepared by the Participating Jurisdiction and gives the Lead Participant authorization to apply for and to act on its behalf in the implementation and administration of the payment program. Letters of Authorizations may be valid for as long as the Lead's Resolution, not to exceed five years, otherwise must be dated within the last 12 months. The Lead must upload the Letter of Authorization or Regional Participant Resolution later than the Funding Request due date or the Participating Jurisdiction(s) will be removed from the application.

Examples of the Letter of Authorization and Regional Participant Resolution can be found on the [Resolution and Letter Examples](https://www.calrecycle.ca.gov/funding/sampledocs) webpage (<https://www.calrecycle.ca.gov/funding/sampledocs>).

Letter of Designation

A Letter of Designation is required only when the authorized Signature Authority title identified in the approved Resolution delegates his/her authority to another person. First, the approved Resolution must indicate the Signature Authority's ability to delegate or designate his/her authority. Second, the letter must be uploaded **prior** to the Designee's exercise of his/her authority. For example, if the Designee signs the Application Certification in place of the Signature Authority, the letter must be uploaded when the Funding Request is submitted. The letter must be on the applicant's letterhead, signed by the Signature Authority, and include the information below.

- Identify the job title of the Designee and the scope of the Designee's authority.

- Identify the period during which the Designee may exercise the authority. The Designee's authority may not extend beyond the effective date of the approved Resolution. For example, if the Resolution is effective until December 31, 2020, then the Letter of Designation may not be effective beyond December 31, 2020. If the letter does not identify a valid time period, the letter will follow the same time frame as the Resolution.

Expenditure Information

Eligible Expenditures

All eligible expenditures are subject to proportionate cost/rate to beverage container recycling activities (i.e., a flyer containing equal parts E-Waste, Oil, Household Hazardous Waste, and Beverage Container Recycling would be funded at a 25 percent proportionate rate.). Multi-bin, co-mingled, and single stream systems may also require a proportionate rate cost to be applied to the expenditure. The funding level for beverage container portions for activities will be approved on a case-by-case basis by a CalRecycle Regional Representative.

Bins/Litter Reduction. Please distinguish between litter reduction projects and waste management projects. Trash only receptacles are not considered litter reduction. Therefore, the receptacles are an ineligible expenditure. The purchase of multi-material recycling bins (to include beverage container recycling), permanently attached together, is an eligible expense and may be funded. Litter reduction activities must include beverage containers as part of the waste stream and must be recycled.

Water Refill Stations. Expenditures related to the installation or replacement of infrastructure, plumbing, maintenance, additional attachments, or modifications related to water refill stations are now eligible. The intent is to reduce the number of single-use beverage containers from entering the waste stream. Refillable water bottles (e.g. water cooler services, canteen water bottles, etc.), are currently still ineligible.

Advertising/Promotion. If you plan to spend Program funds on advertising/promotion, submit the artwork, brochure, radio script, flyer, or poster to the assigned CalRecycle Regional Representative for your jurisdiction for approval prior to going to print/production. CalRecycle Regional Representatives are listed on the Funding Request page in CAPRS.

Education/Outreach. Education and outreach activities and materials are subject to proportionate cost/rate. Recipients must provide supporting documentation to the CalRecycle Regional Representative for approval. For example, a recycling guide costs \$5,000. The guide includes material topics such as oil, electronic waste, sharps, organics, cardboard, and beverage container recycling. The beverage container recycling portion is 1 or 4 pages of the entire guide. Therefore, staff would approve 25 percent (or \$1,250) in this case as an eligible expenditure.

Acknowledgement. Recipients are not required to acknowledge CalRecycle's support when activities or projects funded, in whole or in part, by this Agreement are publicized in any news media, brochures, articles, seminars or other type of promotional material.

California Resource Recovery Association Conference. If you anticipate attending the California Resource Recovery Association annual conference, or other conference related to beverage container recycling, please limit the expenditures to registration and travel for no more than two (2) staff. Please contact your CalRecycle Regional Representative before making travel plans in order to ensure that the trip is eligible for reimbursement. Travel expenses must follow the criteria for state travel expenses. The most current information related to travel expenses reimbursable by the state can be found at the [California Department of Human Resources](https://www.calhr.ca.gov/employees/Pages/travel-reimbursements.aspx) webpage (<https://www.calhr.ca.gov/employees/Pages/travel-reimbursements.aspx>).

Personnel Hours. If you are charging personnel hours, ensure they are auditable by hours. Program funding will only pay for direct time toward increasing beverage container recycling.

Litter Clean-Up Event. If you are sponsoring a litter cleanup event, in which beverage containers are part of the waste stream and are being recycled, Program funds may be used to pay for charges related to the cleanup. This may include supplies (i.e., bags, liners, grabbers, and gloves), personnel, and safety items (i.e., water, vests, and goggles). However, giveaways, incentives, food and/or promotional T-shirts are ineligible expenditures.

Promotional Items/Stuff We All Get. In accordance with the governor's directive, promotional items are ineligible expenses under CalRecycle's grant/direct payment programs. More information can be found at [Promotional Items/SWAG \(Stuff We All Get\)](https://www.calrecycle.ca.gov/Funding/SWAG) (<https://www.calrecycle.ca.gov/Funding/SWAG>).

Ineligible Activities/Items.

Any activity/items unrelated to beverage container recycling or litter reduction to include, but are not limited to:

- Recycled Content Products.
- Pet/BioBag Waste Bags.
- Monetary/Gift Card Rewards for Recycling Activities/Challenges.
- Memberships to Association.
- Out of State Conferences.
- Trash Containers Only.
- Refillable Water Bottles.
- Water Drop-Off Services.
- Activities solely related to used oil, E-waste, household hazardous waste, organics, compost, cardboard recycling, and waste.
- Items or services whose cost is covered by another CalRecycle Grant.
- Any costs for construction projects by charter cities prohibited by Labor Code section 1782.

Payments

CalRecycle will approve Funding Requests and authorize the State Controller's Office to make payments to each city and county. The warrant will arrive without a cover letter to the city or to the county treasurer. Payments must be placed into an interest-bearing account. Tracking and reporting of interest earned (if any) on the payment is not required. All interest accrued and received from the Program shall be used only for Beverage Container Recycling City/County Payment Program (FY 2019–20)

eligible expenses related to the performance of this Agreement. Pursuant to PRC section 14581(a)(3)(F), CalRecycle may withhold payment to any city, county, or a city and county that has prohibited the siting of a certified recycling center at a supermarket site, caused a certified recycling center at a supermarket site to close its business, or adopted a land use policy that restricts or prohibits the siting of a certified recycling center at a supermarket site within its jurisdiction since January 1, 2000.

Expenditure Payments

Expenditures must be incurred no earlier than the date of the award and no later than March 1, 2022. Proof of payment for expenditures incurred must occur and be submitted no later than April 1, 2022.

Expenditure Changes

Changes in original activities/expenditures are acceptable during the term. Please report any expenditure changes in activities/expenditures by entering actual costs and activities in the Expenditure Module.

Reporting

Expenditure reporting is a requirement for ongoing eligibility for the Program. Recipients must spend the Program funds by March 1, 2022 with a reporting due date of April 1, 2022. Recipients must meet CalRecycle's online reporting requirements. Recipients may submit an Expenditure Report once all Program funds have been spent but no later than April 1, 2022. Failure to meet this reporting due date may result in the denial of future Program funding and/or collection of unspent/unreported Program funds.

Report all expenditures through CAPRS. Supporting documentation and proof of payment for all expenditures will be required. Failure to account for funds and/or ineligible expenditures may result in requiring reimbursement from and/or forfeiture of Program funds. In addition, recipients may be denied future Program funding.

Semi-Annual Reporting for AB 506

Unspent Program funds at the end of the term must be reimbursed by check to CalRecycle within 45 days of that date. Notify your CalRecycle Regional Representative if you will be sending in a check. The check will need to be labeled as City County Payment Program Unspent Funds for FY 2019-20 and mailed to:

CalRecycle, Accounting
P.O. Box 4025
Sacramento, CA 95812-4025

If there are questions or other issues related to expenditures, contact your [CalRecycle Regional Representative](#) (<https://www2.calrecycle.ca.gov/BevContainer/Grants/CityCountyContacts/>). Program funds due to CalRecycle but left unpaid may result in a recipient not being eligible for future funding.

Records Retention and Audit Considerations

Recipients are responsible and accountable for all Program funds; therefore, it is essential that adequate supporting documentation and a clear paper/audit trail are maintained. The accounting of Program funds must be maintained in a manner that provides clear and separate tracking of funds and related transactions for fiscal program management and audit purposes.

CalRecycle, the Department of Finance, the California State Auditor, or their designated representative(s) shall have the right to review and to copy any records and supporting documentation pertaining to the use of Program funds; and shall have the right to interview staff relevant to the audit. Examples of supporting documentation subject to audit include:

- Expenditure ledgers.
- Paid warrants.
- Travel logs.
- Payroll register entries.
- Time sheets.
- Contracts and change orders.
- Samples/pictures of items and materials developed with Program funds.
- Invoices, receipts, cancelled checks.

Supporting documentation must clearly identify all eligible expenditures related to beverage container recycling and litter cleanup activities. All such records shall be maintained for possible audit for a minimum of three (3) years after the Program term end date, or until completion of any action and resolution of all issues, which may arise as a result of any litigation, dispute, or audit, whichever is later.

Termination for Cause

In the event the recipient fails to comply with the requirements of these Guidelines at the time and in the manner herein provided, CalRecycle may terminate the Agreement. Recipients are encouraged to discuss any problems they may have in complying with these Guidelines with their CalRecycle Regional Representative to determine if CalRecycle can be of assistance.

Indemnity

Recipient agrees to indemnify, defend and save harmless the state, CalRecycle, its officers, agents, and employees from any and all claims and/or losses accruing or resulting from the performance of the Program.

Compliance

Recipient shall comply fully with all applicable federal, state, and local laws, ordinances, regulations, and permits.

How to Reach Us

Your CalRecycle Regional Representative's contact information is in CAPRS on your Funding Request page. This is the best contact for any questions about the Program.

Department of Resources Recycling and Recovery

Grants and Payment Unit 5

1001 I Street, MS 13A

Sacramento, CA 95814

Telephone: (916) 322-0613

Email: [City County Payment Program](mailto:citycounty@calrecycle.ca.gov) (citycounty@calrecycle.ca.gov)