

APPROVED AS TO FORM AND LEGALITY

Farrah Hussein

Farrah Hussein (Feb 7, 2024 16:19 PST)

CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION AMENDING RESOLUTION NO. 89417 C.M.S. TO AUTHORIZE THE CITY ADMINISTRATOR OR THEIR DESIGNEE TO APPLY FOR, ACCEPT, AND APPROPRIATE FUNDS FROM CALIFORNIA DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY COMPETITIVE AND NONCOMPETITIVE GRANTS BEGINNING WITH FISCAL YEAR 2023/2024 AND EFFECTIVE FOR FIVE (5) YEARS

WHEREAS, Public Resources Code sections 48000 et seq. authorize the State of California (State) Department of Resources Recycling and Recovery (CalRecycle) to administer various competitive and noncompetitive grants in furtherance of the State's efforts to reduce, recycle, and reuse solid waste generated in the state thereby preserving landfill capacity and protecting public health and safety and the environment; and

WHEREAS, in furtherance of this authority, CalRecycle is required to establish procedures governing the application, awarding, and management of the grants; and

WHEREAS, CalRecycle requires, among other things, an applicant's governing body to declare by resolution certain authorizations related to the administration of CalRecycle grants; and

WHEREAS, Council Resolution No. 89417 C.M.S. authorizes the City Administrator to apply for, accept, and appropriate funds from CalRecycle grants without explicitly stating that a City Administrator's designee would also be authorized to perform such functions; and

WHEREAS, CalRecycle requires a City Administrator's designee to be duly authorized by resolution to apply for and accept funds from CalRecycle grant funding and execute all grant documents if the City wishes to have someone, in addition to the City Administrator, to exercise such authorities; and

WHEREAS, City staff and CalRecycle recommend a City Administrator designee, in addition to the City Administrator, be explicitly authorized by this resolution to apply for, accept, and appropriate funds from CalRecycle competitive and noncompetitive grants and execute all related grant documents to ensure that the City applies for and secures such grants in a timely manner; now, therefore, be it

RESOLVED: That Council Resolution No. 89417 C.M.S. is hereby amended to authorize the City Administrator or their designee to submit applications to CalRecycle on behalf of the City for all grants for which the City is eligible; and be it

FURTHER RESOLVED: That the City Administrator or their designee is hereby authorized and empowered to execute in the name of the City all documents required by CalRecycle to secure grant funds and implement approved grant projects including, but not limited to, applications, agreements, amendments, requests for payment, annual reports including expenditure reports, and any subsequent amendments to or extensions of said documents; and be it

FURTHER RESOLVED: That the City Administrator or their designee is hereby authorized to accept and appropriate awarded funds to the California Integrated Waste Manage Board Fund (2154), Environmental Services: Recycling Solid Waste Organization (30682), Recycling and Solid Waste Program (SC17), in a Project Account to be determined; and be it

FURTHER RESOLVED: That this authorization is effective beginning with fiscal year 2023/2024 and for five (5) years; and be it

FURTHER RESOLVED: That the City Attorney's Office has reviewed this resolution for form and legality and a copy of this resolution shall be filed with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, JENKINS, KALB, KAPLAN, RAMACHANDRAN, REID, AND
PRESIDENT FORTUNATO BAS

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____

ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California