

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. 89416 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RESOURCES RECYCLING AND RECOVERY INDIVIDUAL PAYMENT PROGRAMS BEGINNING WITH FISCAL YEAR 2023/2024 AND EFFECTIVE UNTIL RESCINDED BY THE CITY COUNCIL

WHEREAS, pursuant to Public Resources Code sections 48000 et seq., 14581, and 42023.1(g), the State of California Department of Resources Recycling and Recovery (CalRecycle) has established various payment programs to make payments to qualifying jurisdictions; and

WHEREAS, in furtherance of this authority CalRecycle is required to establish procedures governing the administration of the payment programs; and

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

WHEREAS, the City of Oakland (City) has relied on CalRecycle individual payment programs to fund various recycling activities including promoting beverage container recycling, and providing recycling-focused technical assistance to Oakland residents and businesses; and

WHEREAS, Council Resolution No. 89416 C.M.S. authorizes the City Administrator to apply for, accept, and appropriate funds from CalRecycle individual payment programs 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 all CalRecycle payment programs and execute all payment program 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 non-competitive CalRecycle individual payment programs and execute all related documents to ensure that the City applies for and secures such payment program funds in a timely manner; now, therefore, be it

RESOLVED: That Council Resolution No. 89416 C.M.S. is hereby amended to authorize the City Administrator or their designee to submit applications to CalRecycle on behalf of the City of Oakland for individual payment programs offered; and be it

FURTHER RESOLVED: That the City Administrator or their designee is hereby authorized and empowered as Signature Authority to execute in the name of the City all documents required by CalRecycle to implement and secure payment, including, but not limited to applications, agreements, amendments, 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 the funds to the California Department of Conservation Fund (2139), 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 until rescinded by the City Council; and be it

FURTHER RESOLVED: That the City Attorney's Office has reviewed this resolution for form and legality and that 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