

RESOLUTION NO.

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE CITY MANAGER OR DESIGNEE TO SUBMIT GRANT AND PAYMENT PROGRAM APPLICATIONS TO THE CALIFORNIA DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY FOR A PERIOD OF FIVE (5) YEARS, BEGINNING OCTOBER 3, 2023 THROUGH OCTOBER 3, 2028, AND TO NEGOTIATE AND EXECUTE ANY DOCUMENTS NECESSARY TO EFFECTUATE THE GRANTS AND SUPERSEDING RESOLUTION NO. 78815**

**WHEREAS**, Public Resources Code Sections 48000 et seq. 14581, and 42023.1(g) authorize the Department of Resources Recycling and Recovery (“CalRecycle”) to administer various grant and payment programs (“Grants”) in furtherance of the State of California’s (“State”) 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 administration of the payment programs, and administration of the application, awarding and management of the Grants; and

**WHEREAS**, CalRecycle’s procedures for administering payment and grant programs require, among other things, an applicant’s governing body to declare by resolution certain authorizations related to the administration of the payment and grant program; and

**WHEREAS**, the City of San José (“City”) desires to authorize the City Manager or designee to submit applications to CalRecycle for various Grants for a period of five (5) years, beginning October 3, 2023, through October 3, 2028, and to enter into grant agreements with CalRecycle if the agreements are within the City Manager’s existing City Council-designated contracting authority;

**NOW, THEREFORE,** BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

**SECTION 1.** The City Manager or their designee is hereby authorized to submit applications to CalRecycle for any and all grant and payment programs offered by CalRecycle for which the City is eligible.

**SECTION 2.** The City Manager or their designee is further authorized and empowered to negotiate and execute in the name of the City of San José all documents, including but not limited to, applications, agreements, amendments and requests for payment, necessary to secure funds and implement the approved grant or payment program, if such agreements are within the City Manager’s existing City Council-designated contracting authority.

**SECTION 3.** These authorizations are effective for five (5) years from the date of adoption of this resolution.

**SECTION 4.** This Resolution shall supersede Resolution No. 78815.

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ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2023, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

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MATT MAHAN  
Mayor

ATTEST:

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TONI J. TABER, CMC  
City Clerk