

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 AND TO NEGOTIATE AND EXECUTE ANY DOCUMENTS NECESSARY TO EFFECTUATE THE GRANTS AND SUPERSEDING RESOLUTION NO. 77571**

**WHEREAS**, Public Resources Code Sections 40000 et seq. 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 application, awarding and management of the Grants; and

**WHEREAS**, CalRecycle grant application procedures require, among other things, an applicant’s governing body to declare by resolution certain authorizations related to the administration of CalRecycle Grants; 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 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 designee is hereby authorized to submit applications to CalRecycle for the following Grants:

- a. Beverage Container Recycling
- b. Greenhouse Gas Reduction
- c. Household Hazardous Waste
- d. Solid Waste Disposal and Site Cleanup
- e. Tire Recycling, Cleanup, and Enforcement
- f. Used Oil Recycling
- g. Recycling Market Development Zone, Zone Incentive Funds (ZIFs)
- h. Local Enforcement Agency

**SECTION 2.** The City Manager or designee is further authorized to negotiate and execute any documents necessary to effectuate the Grants, 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. 77571

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2018, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

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SAM LICCARDO  
Mayor

ATTEST:

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TONI J. TABER, CMC  
City Clerk