

2.8 United States Environmental Protection Agency Grant Applications.

Recommendation:


Adopt a resolution authorizing the City Manager or her designee for a period of five years, beginning September 10, 2024, through September 9, 2029, to:

(a) Apply for all grant programs offered by the United States Environmental Protection Agency, and

(b) Negotiate and execute all grant documents, including agreements, amendments, and requests for payment, necessary to accept and secure grant funds, provided that the total grant amount, including any matching funds commitment, is within the City Manager's authority, as set forth in the San José Municipal Code.

CEQA: Not a Project, File No. PP17-006, Grant Application with no commitment or obligation to enter into an agreement at the time of application and File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. (Environmental Services)

CITY COUNCIL ACTION REQUEST

DEPARTMENT(S): Environmental Services	CEQA: Not a Project, File No. PP17-006, Grant Application with no commitment or obligation to enter into an agreement at the time of application and File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment.	COORDINATION: City Attorney's Office, City Manager's Budget Office, and Planning, Building, and Code Enforcement Department	Director Approval: /s/ Lori Mitchell
COUNCIL DISTRICT(S): Citywide			CMO Approval:  9/5/24

SUBJECT: United States Environmental Protection Agency Grant Applications

RECOMMENDATION

Adopt a resolution authorizing the City Manager or her designee for a period of five years, beginning September 10, 2024 through September 9, 2029, to:

- (a) Apply for all grant programs offered by the United States Environmental Protection Agency, and
- (b) Negotiate and execute all grant documents, including agreements, amendments, and requests for payment, necessary to accept and secure grant funds, provided that the total grant amount, including any matching funds commitment, is within the City Manager's authority, as set forth in the San José Municipal Code.

BASIS FOR RECOMMENDATION

The United States Environmental Protection Agency (USEPA) offers funding opportunities, authorized by legislation, to assist public and private entities in implementing environmental projects and programs. To apply for these funding opportunities, the USEPA requires an entity's signature authority to submit grant applications and supporting documents, such as letters of intent.

If adopted, the resolution will authorize the City Manager or her designee to apply for a variety of USEPA grant programs. The USEPA offers various grant programs which would benefit the City and environment. Within the next five years, the Environmental Services Department intends to apply for such programs, including but not limited to, programs focused on the following areas of interest:

- Environmental and climate justice;
- Greenhouse gas reduction;
- Integrated waste management;
- Waste reduction, reuse, and recycling;
- Solid waste infrastructure;
- Public outreach and education;
- Zero waste;
- Pollution prevention; and,
- Stormwater quality and urban runoff management.

The delegation of authority to the City Manager or her designee to apply for such USEPA grants, as described in this memorandum, will allow staff to apply for these grants more efficiently without the need to seek City Council approval for each application and will also provide staff more time to focus on developing and submitting grant applications to secure additional funding.

This resolution will authorize the City Manager or her designee to apply for all grant programs of any amount offered by the USEPA, provided there is no City commitment at the time of application. The resolution will also authorize the City Manager or her designee to negotiate and execute all grant documents, including agreements, amendments, and requests for payment, necessary to accept and secure grant funds, provided that the total grant amount including matching funds is within the City Manager's authority, as set forth in the San José Municipal Code. For grants that are within the City manager's authority, staff will ensure the inclusion of proof of matching funds, as required, and those that are eligible to be utilized for the particular grant program.

Upon award of a grant that exceeds the City Manager's authority to execute, staff will return to City Council for a resolution authorizing the City Manager or her designee to negotiate and execute all grant documents, including agreements, amendments, and requests for payment, necessary to accept and secure grant funds.

COMMISSION RECOMMENDATION AND INPUT

No commission recommendation/input is associated with this action.

COST AND FUNDING SOURCE

There are no costs associated with approving this recommendation. Budget actions to recognize and appropriate awarded grants will be incorporated through the annual budget process.

FOR QUESTIONS CONTACT: Valerie Osmond, Deputy Director, Environmental Services Department at (408) 535-8557 or Valerie.Osmond@sanjoseca.gov

RESOLUTION NO.

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE CITY MANAGER OR HER DESIGNEE FOR A PERIOD OF FIVE YEARS, BEGINNING SEPTEMBER 10, 2024, THROUGH SEPTEMBER 9, 2029, TO: (A) APPLY FOR ALL GRANT PROGRAMS OFFERED BY THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY; AND (B) NEGOTIATE AND EXECUTE ALL GRANT DOCUMENTS, INCLUDING AGREEMENTS, AMENDMENTS, AND REQUESTS FOR PAYMENT, NECESSARY TO ACCEPT AND SECURE GRANT FUNDS, PROVIDED THAT THE TOTAL GRANT AMOUNT, INCLUDING ANY MATCHING FUNDS COMMITMENT, IS WITHIN THE CITY MANAGER'S AUTHORITY, AS SET FORTH IN THE SAN JOSE MUNICIPAL CODE

WHEREAS, the United States Environmental Protection Agency (USEPA) offers funding opportunities, authorized by legislation, to assist public and private entities in implementing environmental projects and programs; and

WHEREAS, to apply for these funding opportunities, USEPA requires an entity's signature authority to submit grant applications and supporting documents, such as letters of intent; and

WHEREAS, this action will authorize the City Manager or her designee, Sarah Zarate or Zane Barnes, or other designee, to apply for all grant programs of any amount offered by the USEPA; and

WHEREAS, this action will authorize the City Manager or her designee, Sarah Zarate or Zane Barnes, or other designee, to negotiate and execute all grant documents, including agreements, amendments, and requests for payment, necessary to accept and secure grant funds, provided that the total grant amount, including any matching

funds commitment, is within the City Manager's authority, as set forth in the San José Municipal Code;

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

The City Manager or her designee, Sarah Zarate or Zane Barnes, or other designee is hereby authorized for a period of five years, beginning September 10, 2024 through September 9, 2029, to:

1. Apply for all grant programs offered by the United States Environmental Protection Agency; and
2. Negotiate and execute all grant documents, including agreements, amendments, and requests for payment, necessary to accept and secure grant funds, provided that the total grant amount, including any matching funds commitment, is within the City Manager's authority, as set forth in the San José Municipal Code.

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ADOPTED this _____ day of _____, 2024, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

MATT MAHAN
Mayor

ATTEST:

TONI J. TABER, MMC
City Clerk