

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, AUTHORIZING SUBMISSION OF A SOLID WASTE INFRASTRUCTURE FOR RECYCLING (SWIFR) GRANT PROGRAM APPLICATION TO THE ENVIRONMENTAL PROTECTION AGENCY (EPA) AND AUTHORIZING THE DIRECTOR OF PUBLIC UTILITIES OR DESIGNEE TO ACCEPT GRANT FUNDS AND EXECUTE ALL APPLICATION AND GRANT AGREEMENT DOCUMENTS ON BEHALF OF THE CITY OF FRESNO.

WHEREAS, the City of Fresno (City) owns and operates the Department of Public Utilities (DPU) responsible for collecting over 1,350 daily tons of residential solid waste, recyclables, and green waste for approximately 112,000 customers; and

WHEREAS, the DPU's Project Blue Initiative, in cooperation with the City's police department, has effectively cited or arrested over 244 suspects for theft of recycling materials and over 21 illegal dumpers; and

WHEREAS, the City's DPU proposes purchasing four (4) side loader trucks to augment and expand the City's current fleet to meet state mandates for 50 percent waste diversion overall, as well as 75 percent organics diversion via cost-effective collection services to residents, and purchase 100 cameras and monitors to be installed in existing collection trucks to aid in contamination minimization efforts and increase the amount of recyclables collected; and

WHEREAS, The Infrastructure Investment and Jobs Act (IIJA), also known as the Bipartisan Infrastructure Law (BIL), provides \$275,000,000 for grants authorized under Section 302(a) "Post-Consumer Materials Management Infrastructure Grant Program" of the Save Our Seas 2.0 Act (Public Law 116-224) as codified at 33 U.S.C. 4282(a); and

1 of 4

Date Adopted:  
Date Approved:  
Effective Date:

City Attorney Approval: AMK

Resolution No.

WHEREAS, in November 2022, the EPA issued the Guidelines and Proposal Solicitation Package establishing the processes, procedures, and criteria that EPA will use to implement the Solid Waste Infrastructure for Recycling (SWIFR) Grant Program (Program); and

WHEREAS, grants awarded under the Program are intended to establish, increase, expand, or optimize collection and improve materials management infrastructure; reduce contamination in the recycled materials stream; and identify, establish, or improve end-markets for the use of recycled materials; and

WHEREAS, the proposed project fits the criteria of the Program by improving the City's waste management infrastructure and overall recycling efforts and aiding the City in meeting the State of California's mandate as required by AB939, which calls for a 50 percent reduction in waste sent to the landfill thus decreasing its municipal solid waste; and

WHEREAS, the DPU intends to apply for grant funding from EPA for the Program; and

WHEREAS, the City has the legal authority and is authorized to enter into a funding agreement with the EPA.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as follows:

1. That pursuant and subject to all of the terms and provisions of the Bipartisan Infrastructure Law under Section 302(a) "Post Consumer Materials Management Infrastructure Grant Program" of Public Law 116-224 as codified at 33 U.S.C. 4282(a), the City of Fresno Director of Public Utilities or designee is hereby authorized and directed

to prepare and file an application for funding with the EPA for the Program and take such other actions as necessary or appropriate to obtain grant funding.

2. The City of Fresno Director of Public Utilities or designee is hereby authorized and directed to execute the funding agreement, subject to approval as to form by the City Attorney's Office, with the Department of Public Utilities Solid Waste Division and any amendments thereto.

3. The City of Fresno Director of Public Utilities or designee is hereby authorized and directed to submit any required documents, invoices, and reports required to obtain grant funding.

4. This resolution shall be effective upon final approval.

\* \* \* \* \*

STATE OF CALIFORNIA )  
COUNTY OF FRESNO ) ss.  
CITY OF FRESNO )

I, TODD STERMER, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_ 2023.

AYES :  
NOES :  
ABSENT :  
ABSTAIN :

Mayor Approval: \_\_\_\_\_, 2023  
Mayor Approval/No Return: \_\_\_\_\_, 2023  
Mayor Veto: \_\_\_\_\_, 2023  
Council Override Vote: \_\_\_\_\_, 2023

TODD STERMER, CMC  
City Clerk

By: \_\_\_\_\_  
Deputy Date

APPROVED AS TO FORM:  
ANDREW JANZ  
City Attorney

By: \_\_\_\_\_  
Angela M. Karst Date  
Deputy City Attorney