

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND THE ACCEPTANCE OF FUNDS TOTALING UP TO \$500,000 FROM THE U.S. ENVIRONMENTAL PROTECTION AGENCY'S FY25 BROWNFIELDS ASSESSMENT GRANT (COMMUNITY-WIDE ASSESSMENT) TO FUND THE ASSESSMENT OF BROWNFIELDS AND AUTHORIZING THE CITY MANAGER OR DESIGNEE TO SIGN ALL NECESSARY IMPLEMENTING DOCUMENTS

WHEREAS, the United States Environmental Protection Agency (EPA), issued a Notice of Funding Opportunity (NOFO) on August 6, 2024, pursuant to its FY25 Brownfields Assessment, Revolving Loan Fund, and Cleanup (ARC) program; and

WHEREAS, The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) was amended by the Small Business Liability Relief and Brownfields Revitalization Act in 2002 to include Section 104(k), which provides federal financial assistance authorities for brownfields revitalization, including grants for assessment, cleanup, and revolving loan funds.; and


WHEREAS, The Brownfields Utilization, Investment, and Local Development (BUILD) Act (Public Law 115-141) enacted in 2018 reauthorized EPA's Brownfields Program and made additional amendments to CERCLA that affect EPA's brownfield grant authorities, and ownership and liability provisions. EPA's Brownfields Program provides funds to empower states, Tribal Nations, local government, communities, and nonprofit organizations to prevent, inventory, assess, clean up, and reuse brownfield sites; and

WHEREAS, the City of Fresno (City) is an eligible local government and may receive up to \$500,000 under this ARC Program to conduct one or more eligible Brownfield

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: 

Resolution No.

activities; and

WHEREAS, the City desires to submit a grant application to the EPA FY25 Brownfield Community-Wide Assessment Grant for \$500,000 to be used to assess and conduct reuse planning for Brownfield locations within in Downtown Fresno, Chinatown Fresno, Southwest Fresno, and Elm Avenue planning areas to promote revitalization and development.; and

WHEREAS, EPA determined the NOFO does not constitute a major Federal action having an individually or cumulatively significant effect on the human environment under the National Environmental Policy Act (NEPA); and

WHEREAS, the City in administering any awarded FY25 EPA Brownfield Assessment Grant will conduct environmental review as necessary under NEPA and CEQA.

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

1. The above recitals are true and correct and incorporated herein.
2. The Council of the City of Fresno, California, approves submission of the City's grant application under EPA's FY25 ARC Program for the FY25 Brownfield Community-Wide Assessment in response to its solicitation for applications and authorizes acceptance of EPA ARC funds in an amount up to \$500,000 to administer one or more eligible Brownfield activities.
3. The City Manager, or designee, is authorized and directed to sign all reasonably required implementing documents subject to approval as to form by the City Attorney and accept the FY25 Brownfield Community-Wide Assessment Grant funds.
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 _____ 2024.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2024
Mayor Approval/No Return: _____, 2024
Mayor Veto: _____, 2024
Council Override Vote: _____, 2024

TODD STERMER, CMC
City Clerk

By: _____
Deputy Date

APPROVED AS TO FORM:
ANDREW JANZ
City Attorney

By: _____
Tricia Herrera Date
Deputy City Attorneys