



MEMORANDUM

TO: CITY COUNCIL

FROM: SARAH LANSBURGH, DEPUTY CITY CLERK/COMMUNICATIONS COORDINATOR

**BY: WHITNEY McDONALD, CITY MANAGER
BILL ROBESON, ASSISTANT CITY MANAGER/PUBLIC WORKS DIRECTOR**

**SUBJECT: SUPPLEMENTAL INFORMATION
AGENDA ITEM 8.h. – CONSIDERATION OF A RESOLUTION
AUTHORIZING PUBLIC WORKS DIRECTOR TO SUBMIT AN
APPLICATION FOR THE CALRECYCLE/SB 1383 LOCAL ASSISTANCE
GRANT PROGRAM**

DATE: JANUARY 24, 2022

Revised Recommended Action Required

Item 8.h. on the January 25, 2022 City Council Meeting Agenda seeks approval of a Resolution authorizing the Public Works Director to submit an application on behalf of the City to CalRecycle for funding from the SB 1383 Local Assistance Grant Program (Grant Program). Funding would be used to support the City's efforts to comply with SB 1383, including enforcement, inspection, procurement, education, and outreach programs as authorized under the Grant Program.

Following publication of the January 25, 2022 Agenda, City staff received a request from staff for the Integrated Waste Management Authority (IWMA) that the City refrain from submitting an individual application under the Grant Program. Prior to publication of the Agenda, IWMA staff had indicated that both the IWMA and its member agencies may obtain direct funding through the Grant Program. This recommendation was based on an assumption that the IWMA could apply for funding through a "Regional Application," as described in the Grant Program Applications Guidelines and Instructions (Guidelines). IWMA staff has now explained, based on clarifications provided by CalRecycle staff, that the IWMA's application will be treated as a "Joint Powers Authority Application" under the Guidelines. As a result, if the IWMA applies for funding from the Grant Program, the IWMA's member agencies will not be eligible to receive funding directly from CalRecycle.



As stated in the Guidelines, “Joint Powers Authorities (JPA) may submit a grant application as an individual applicant. An entity may not submit an individual application if that entity is also a member of an applicant JPA.” Because the IWMA does intend to seek funding through the Grant Program, the City may not obtain its non-competitive share of funding directly from CalRecycle. Therefore, the proposed Resolution included in Item 8.h. will be unnecessary if the IWMA successfully completes its Grant Program application.

IWMA staff has also stated that the City may obtain its non-competitive allocation of Grant Program funds from the IWMA as a sub-recipient for projects that it anticipated funding through the Grant Program. In order to accomplish this process, it is recommended that the City and the IWMA enter into a grant agreement stating the terms governing administration of the City’s portion of the Grant Program funds. Staff is now recommending that the City Council authorize the City Manager to execute a grant agreement with the IWMA, subject to the review and approval of the City Attorney, to enable the City to receive its portion of Grant Program funds currently estimated at \$24,046. Alternatively, the City Council may wish to direct staff to return with the proposed grant agreement for approval at a future regular meeting. Additionally, staff recommends approving the proposed Resolution to be submitted by City staff to CalRecycle in the event that the IWMA does not successfully complete its application for Grant Program funding.

Revised Recommended Action:

1) Adopt a Resolution authorizing the Public Works Director to submit an application for the CalRecycle/SB 1383 Local Assistance Grant Program in the event that the IWMA is unsuccessful with its application; and 2) Authorize the City Manager to execute a grant agreement with the IWMA, subject to the review and approval of the City Attorney, enabling the City to obtain from the IWMA its non-competitive share of Grant Program funds currently estimated at \$24,046 for projects authorized under the Grant Program.

cc: City Manager
Assistant City Manager/Public Works Director
City Attorney
City Clerk
City Website (or public review binder)