

RESOLUTION NO. 2022-17

A RESOLUTION OF THE CITY COUNCIL OF MARINA APPLYING FOR CALRECYCLE SB 1383 LOCAL ASSISTANCE GRANT PROGRAM FUNDS, AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS AND SUBMIT ALL REPORTS REQUIRED BY THE GRANT, APPROPRIATE GRANT FUNDS TO BE RECEIVED IN THE CURRENT BUDGET, AND AUTHORIZE THE FINANCE DIRECTOR TO MAKE THE NECESSARY ACCOUNTING AND BUDGETARY ENTRIES

WHEREAS, In September 2016, Governor Edmund Brown Jr. set methane emissions reduction targets for California (SB 1383 Lara, Chapter 395, Statutes of 2016) in a statewide effort to reduce emissions of short-lived climate pollutants (SLCP). The targets must reduce organic waste disposal 50 percent by 2020 and 75 percent by 2025 and rescue for people to eat at least 20 percent of currently disposed surplus food by 2025; and

WHEREAS, The City of Marina is a Member Agency of the Monterey Regional Waste Management District MRWMD Joints Powers Authority responsible for managing solid waste on behalf of the Cities and unincorporated County communities of coastal Monterey County. The City participates on the Technical Advisory Committee (TAC) for SB 1383 led by the District and comprised of staff from each member jurisdiction, the three haulers in the District service area, and MRWMD staff. The District's TAC has been working collaboratively for approximately 1.5 years planning for SB 1383, California's SLCP regulation. The regulation will have significant impact on each member jurisdiction in meeting the goals set under these regulations. Regulations took effect and local program implementation began January 1, 2022; and

WHEREAS, In January 2022, the Department of Resources Recycling and Recovery (CalRecycle), the agency responsible for administering SB 1383, released application guidelines and instructions related to SB 1383 Local Assistance Grant Program (OWR1: 2021-22) as a one-time grant program meant to provide aid in the implementation of regulations adopted by CalRecycle pursuant to Chapter 395, Statutes of 2016 and SB170 Budget Act of 2021. Funding from CalRecycle will be allocated to each jurisdiction based on grant program estimates according to the Department of Finance's January 2021 population statistics. This non-competitive grant program provides funding to local jurisdictions to assist with the implementation of regulation requirements associated with SB 1383. The City of Marina is eligible for \$29,771 in grant funding through this program; and

WHEREAS, The first step in applying for this one-time non-competitive grant funding was due February 1, 2022. All jurisdictions within the MRWMD, and Salinas Valley Solid Waste Authority (SVSWA) successfully submitted individual applications to CalRecycle on or before the submission deadline, based on CalRecycle guidance, and with submission support provided by each waste district. An applicant's governing body is required to declare by resolution certain authorizations related to the grant administration by the secondary due date of March 1, 2022 in order to receive funding beginning April 1, 2022; and

WHEREAS, The Member Agencies, along with each of the MRWMD and SVSWA member agencies are applying individually to this grant program using a unified regional project design, budget and implementation approach. All participating jurisdictions' individual grant funding will be pooled together and expended in a cooperative manner by their agencies' respective waste districts, MRWMD and SVSWA. The County of Monterey is applying separately and will manage its budget and project implementation independently, in coordination with broader regional planning efforts; and

WHEREAS, Based on current regional needs and findings to date related to SB 1383 in Monterey County, the following four major components will comprise the principal focus areas of program expenditures under the proposed regional project approach:

1. Grant Management, Tracking & Reporting
2. Agency Procurement Support
3. Edible Food Recovery Implementation and Capacity Building
4. Organics & Edible Food Recovery Education, Outreach and Technical Assistance.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Marina does hereby:

1. Apply for CalRecycle SB 1383 Local Assistance Grant Program funds; and
2. Authorize the City Manager or his designee to execute all documents and submit all reports required by the grant; and
3. Appropriate grant funds to be received in the current budget; and
4. Authorize the Finance Director to make the necessary accounting and budgetary entries.

PASSES AND ADOPTED, by the City Council of the City of Marina at a regular meeting duly held on the 15th day of February 2022 by the following vote:

AYES, COUNCIL MEMBERS: Medina Dirksen, Burnett, Berkley, Biala, Delgado

NOES, COUNCIL MEMBERS: None

ABSENT, COUNCIL MEMBERS: None

ABSTAIN, COUNCIL MEMBERS: None

Bruce C. Delgado, Mayor

ATTEST:

Anita Sharp, Deputy City Clerk

RESOLUTION NO. 2022-17

A RESOLUTION OF THE CITY COUNCIL OF MARINA AUTHORIZING SUBMITTAL
OF APPLICATION(S) FOR ALL CALRECYCLE GRANTS FOR WHICH THE CITY OF
MARINA IS ELIGIBLE

WHEREAS, Public Resources Code sections 48000 et seq. authorize the Department of Resources Recycling and Recovery (CalRecycle) to administer various grant 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.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Marina authorizes the submittal of application(s) to CalRecycle for all grants for which the City of Marina is eligible; and

BE IT FURTHER RESOLVED that the City Manager, or his/her designee is hereby authorized and empowered to execute in the name of the City of Marina all grant documents, including but not limited to, applications, agreements, amendments and requests for payment, necessary to secure grant funds and implement the approved grant project; and

BE IT FURTHER RESOLVED that these authorizations are effective for five (5) years from the date of adoption of this resolution.

PASSES AND ADOPTED, by the City Council of the City of Marina at a regular meeting duly held on the 15th day of February 2022 by the following vote:

AYES, COUNCIL MEMBERS: Medina Dirksen, Burnett, Berkley, Biala, Delgado

NOES, COUNCIL MEMBERS: None

ABSENT, COUNCIL MEMBERS: None

ABSTAIN, COUNCIL MEMBERS: None

Bruce C. Delgado, Mayor

ATTEST:

Anita Sharp, Deputy City Clerk

February 10, 2022,

Item No. **8f(4)**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of February 15, 2022

**CITY COUNCIL CONSIDER ADOPTING RESOLUTION NO. 2022-,
AUTHORIZING SUBMITTAL OF APPLICATION(S) FOR ALL
CALRECYCLE GRANTS FOR WHICH THE CITY OF MARINA IS
ELIGIBLE, AND RESOLUTION NO. 2022-, APPLYING FOR
CALRECYCLE SB 1383 LOCAL ASSISTANCE GRANT PROGRAM
FUNDS, AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO
EXECUTE ALL DOCUMENTS AND SUBMIT ALL REPORTS REQUIRED
BY THE GRANT, APPROPRIATE GRANT FUNDS TO BE RECEIVED IN
THE CURRENT BUDGET, AND AUTHORIZE THE FINANCE
DIRECTOR TO MAKE THE NECESSARY ACCOUNTING AND
BUDGETARY ENTRIES**

REQUEST:

It is requested that the City Council consider adopting Resolution 2022- for the following action:

1. Authorizing submittal of application(s) for all CalRecycle Grants for which the City of Marina is eligible; and

It is further requested that the City Council consider adopting Resolution 2022- for the following actions:

1. Applying for CalRecycle SB 1383 Local Assistance Grant Program funds; and
2. Authorizing the City Manager or his designee to execute all documents and submit all reports required by the grant; and
3. Appropriating grant funds to be received in the current budget; and
4. Authorizing the Finance Director to make the necessary accounting and budgetary entries.

BACKGROUND:

In September 2016, Governor Edmund Brown Jr. set methane emissions reduction targets for California (SB 1383 Lara, Chapter 395, Statutes of 2016) in a statewide effort to reduce emissions of short-lived climate pollutants (SLCP). The targets must reduce organic waste disposal 50 percent by 2020 and 75 percent by 2025 and rescue for people to eat at least 20 percent of currently disposed surplus food by 2025.

The City of Marina is a Member Agency of the Monterey Regional Waste Management District (MRWMD) Joints Powers Authority responsible for managing solid waste on behalf of the Cities and unincorporated County communities of coastal Monterey County. The City participates on the Technical Advisory Committee (TAC) for SB 1383 led by the District and comprised of staff from each member jurisdiction, the three haulers in the District service area, and MRWMD staff. The District's TAC has been working collaboratively for approximately 1.5 years planning for SB 1383, California's SLCP regulation. The regulation will have significant impact on each member jurisdiction in meeting the goals set under these regulations. Regulations took effect and local program implementation began January 1, 2022.

While the regulation places the program implementation responsibility on the member jurisdictions, the TAC has been collectively analyzing who best should implement each element of the regulation between the member jurisdictions, waste haulers, or District. The TAC determined that many of the requirements are best completed using shared resources. As such, an MOU between the District and each of its member jurisdictions was created to have the District incur the shared costs and bill each member jurisdiction twice annually for reimbursement. The City Council adopted Resolution 2021-93 on August 17th, 2021 approving the MOU between MRWMD and Member Jurisdictions for SB 1383 Shared Costs.

In January 2022, the Department of Resources Recycling and Recovery (CalRecycle), the agency responsible for administering SB 1383, released application guidelines and instructions related to the SB 1383 Local Assistance Grant Program (OWR1: 2021-22) as a one-time grant program meant to provide aid in the implementation of regulations adopted by CalRecycle pursuant to Chapter 395, Statutes of 2016 and SB170 Budget Act of 2021. Funding from CalRecycle will be allocated to each jurisdiction based on grant program estimates according to the Department of Finance's January 2021 population statistics. This non-competitive grant program provides funding to local jurisdictions to assist with the implementation of regulation requirements associated with SB 1383. The City of Marina is eligible for \$29,771 in grant funding through this program.

ANALYSIS:

The first step in applying for this one-time non-competitive grant funding was due February 1, 2022. All jurisdictions within the MRWMD, and Salinas Valley Solid Waste Authority (SVSWA) successfully submitted individual applications to CalRecycle on or before the submission deadline, based on CalRecycle guidance, and with submission support provided by each waste district. An applicant's governing body is required to declare by resolution certain authorizations related to the grant administration by the secondary due date of March 1, 2022 in order to receive funding beginning April 1, 2022. A resolution authorizing submission for any CalRecycle grant and payment program for which our agency is eligible for a period of 5 years, is presented for your consideration and authorization. This is a separate resolution which contains specific language required by CalRecycle.

MRWMD led efforts to assist all member agencies in responding to the available grant funding solicitation. The Member Agencies of Carmel, Del Rey Oaks, Marina, Monterey, Sand City, Seaside, Pacific Grove, and the Pebble Beach Community Services District (PBCSD) joined the Local Assistance Grant Program effort as a regional collaborative project for the implementation of regulation requirements associated with SB 1383, in coordination with other jurisdictions of the Monterey County region to maximize project impact and cost-effectiveness across the countywide area, consistent with existing cooperative SB 1383 planning, preparation and implementation practices already underway throughout the service territory. This regional grant-funded project will be coordinated through the two local waste management governmental agencies within Monterey County, MRWMD, and SVSWA.

The Member Agencies, along with each of the MRWMD and SVSWA member agencies are applying individually to this grant program using a unified regional project design, budget and implementation approach. All participating jurisdictions' individual grant funding will be pooled together and expended in a cooperative manner by their agencies' respective waste districts, MRWMD and SVSWA. The County of Monterey is applying separately and will manage its budget and project implementation independently, in coordination with broader regional planning efforts.

Based on current regional needs and findings to date related to SB 1383 in Monterey County, the following four major components will comprise the principal focus areas of program expenditures under the proposed regional project approach:

1. Grant Management, Tracking & Reporting
2. Agency Procurement Support
3. Edible Food Recovery Implementation and Capacity Building
4. Organics & Edible Food Recovery Education, Outreach and Technical Assistance

Each element will be informed by regional coordination through the established MRWMD and SVSWA TAC forums, Capacity Planning Assessments and related studies completed or in process throughout the region, and new data and information obtained through program implementation trials, stakeholder feedback and best practices as identified. All expenditures will be incurred jointly, facilitated through each respective waste agency, and tracked and reported by each jurisdiction, based on the percentage of grant funds received by each agency compared to the full funding received collectively by all participating member agencies. The collective pooled grant funding anticipated for all MRWMD agencies is \$212,566 of which the City of Marina contribution will be \$29,771.

The District's existing MOU with Member Agencies for Shared-Costs associated with SB 1383 will need to be amended to address the specific administration of the Local Assistance Grant Program and is a separate item on this meeting's agenda.

In order to participate in this CalRecycle grant funding, it is requested that the City Council approve the attached resolutions.

FISCAL IMPACT:

There is no cost to the City of Marina to be a participating agency on this cooperative regional grant. The City will receive \$29,771 in grant funding from CalRecycle. The City will benefit from an estimated \$212,566 in regional funding to be administered by the MRWMD, in support of regional SB 1383 program planning, compliance and implementation efforts.

CONCLUSION:

This request is submitted for City Council consideration and action.

Respectfully submitted,

Brian McMinn, P.E., P.L.S.
Public Works Director & City Engineer
City of Marina

REVIEWED/CONCUR:

Layne Long
City Manager
City of Marina