

RESOLUTION NO. 73705

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE CITY MANAGER, OR A DESIGNEE, TO SUBMIT GRANT APPLICATIONS AND TO EXECUTE ALL RELATED DOCUMENTS, INCLUDING GRANT AGREEMENTS AND PAYMENT REQUESTS WITH THE CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD FOR THE WASTE TIRE ENFORCEMENT GRANT PROGRAM FROM FY 2006/2007 THROUGH FY 2010/2011**

**WHEREAS**, funds are allocated and available from the California Integrated Waste Management Board (“CIWMB”) Waste Tire Enforcement Grant Program (“Program”) to solid waste Local Enforcement Agencies and to other cities, counties, special districts, agencies and districts with regulatory authority to perform enforcement, compliance and surveillance activities at waste tire facilities; and

**WHEREAS**, the CIWMB has been delegated the responsibility for administering the Program and setting up necessary procedures governing application by cities and counties under the Program; and

**WHEREAS**, the City of San José (“City”) has regulatory authority and experience in the enforcement of laws and regulations for the protection of public health and safety and the environment, and has the experience and capability to perform enforcement compliance and surveillance activities at waste tire facilities; and

**WHEREAS**, the City has previously applied for a Waste Tire Enforcement Grant from the CIWMB; and

**WHEREAS**, the grant is ongoing, and an application and grant agreement is required annually through FY 2010/2011; and

**WHEREAS**, the City desires to negotiate and execute the applicable grant agreements with the CIWMB;

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

1. The City Manager, or a designee, is authorized to submit a grant application and execute a grant agreement with the California Integrated Waste Management Board for a Waste Tire Enforcement Program for FY 2006/2007, as well as any other documents required to effectuate and implement the grant.
2. The City Manager, or a designee, is further authorized to apply for and to submit grant applications and to execute grant agreements with the California Integrated Waste Management Board for the Waste Tire Enforcement Grant Program for the subsequent four fiscal years, FY 2007/2008 through FY 2010/2011, as well as any other documents required to effectuate and implement the grant.
3. Resolution No. 73684 is hereby superseded.

ADOPTED this 27<sup>th</sup> day of March, 2007, by the following vote:

AYES: CAMPOS, CHIRCO, CORTESE, LICCARDO, NGUYEN,  
OLIVERIO, PYLE, WILLIAMS; REED

NOES: NONE

ABSENT: CONSTANT

DISQUALIFIED: NONE

VACANT DISTRICT 4

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CHUCK REED  
Mayor

ATTEST:

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LEE PRICE, MMC  
City Clerk