



RESOLUTION NO. 2009-119

A RESOLUTION OF FRESNO CITY COUNCIL APPROVING THE APPLICATION FOR AND ACCEPTANCE OF UP TO \$4,603,600 IN ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT FUNDS FROM THE U.S. DEPARTMENT OF ENERGY AND AUTHORIZING EXECUTION OF DOCUMENTS

Sustainable Fresno Environmental and Renewable Resource Center

WHEREAS, the American Recovery and Reinvestment Act of 2009, Public Law 111-5, appropriates funding for the Department of Energy (DOE) to issue/award formula-based grants to states, U.S. territories, units of local government, and Indian tribes under the Energy Efficiency and Conservation Block Grant (EECBG) Program to implement projects and programs to reduce total energy use, reduce fossil fuel emissions, and improve energy efficiency in building and other appropriate sectors.; and

WHEREAS, the DOE's authorization for this program is set forth in Title V, Subtitle E of the Energy Independence and Security Act (EISA) of 2007; and

WHEREAS, EECBG projects will be funded, in whole or in part, with funds appropriated by the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5, (Recovery Act or Act); and

WHEREAS, the City of Fresno has been allocated \$4,603,600 in EECBG Funding; and

WHEREAS, the procedures established by the DOE require the City to certify by resolution authorization for proposal submittal and Program participation; and

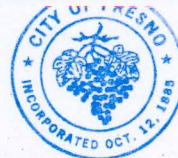
WHEREAS, the City will enter into an agreement with the DOE for the grant funded Program/Project.

NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF FRESNO HEREBY:

1. Approves proposal submittal and acceptance of up to \$4,603,600 in grant funding for the Sustainable Fresno Environmental and Renewable Resource Center Program/Project(s) contingent upon grant funds being available, and Program/Project participation, subject to constitutional and local law requirements, annually allocated and available City funds, and this resolution; and
2. Certifies that the City has reviewed, understands and, to the extent consistent with all constitutional and local law requirements and this resolution, agrees to the provisions contained in the EECBG Program Guidelines; and
3. Appoints the Interim Planning and Development Director, as agent of the City of Fresno, to conduct all negotiations, execute and submit documents including, but not limited to,

Adopted \_\_\_\_\_  
Approved \_\_\_\_\_  
Effective \_\_\_\_\_  
5/21/09

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applications, agreements, memoranda of understanding, payment requests, certifications, assurances and so on, which may be necessary for the completion of the Program/Project, consistent with constitutional and local law requirements, annually allocated and available City funds and this resolution, and subject to prior approval as to form by the City Attorney's Office.

\* \* \* \* \*

CLERK'S CERTIFICATION

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

I, REBECCA E. KLISCH, City Clerk of the City of Fresno, certify that the foregoing Resolution was adopted by the Council of the City of Fresno, California, at a regular meeting thereof, held on the 21st day of May, 2009.

AYES: Borgeas, Dages, Perea, Xiong  
NOES: Brand, Westerlund  
ABSTAIN: None  
ABSENT: Sterling

REBECCA E. KLISCH  
City Clerk

By: Rebecca Klisch  
Deputy

APPROVED AS TO FORM:

JAMES C. SANCHEZ  
City Attorney

By: R  
Robert R. Coyle, Senior Deputy

Date 5-15, 2009

RRC:sn [49275sn/RESO] 5/15/09