

RESOLUTION NO. 23-167

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AUTHORIZING SUBMITTAL OF APPLICATION AND DECLARING THE CITY'S INTENTION TO APPLY FOR THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY'S MULTIPURPOSE, ASSESSMENT, REVOLVING LOAN FUNDS, AND CLEANUP (MARC) GRANTS

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 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; and

WHEREAS, under the EPA's Multipurpose, Assessment, RLF and Cleanup ("MARC") brownfields program provides funds to empower states, tribal nations, communities, and nonprofit organizations to prevent, inventory, assess, clean up, and reuse brownfield sites; and

WHEREAS, the City of Carson ("City") is an eligible local government for MARC program funds; and

WHEREAS, on April 19, 2022, the City adopted Resolution No. 22-068 formally declaring the City's policy of prioritizing: 1) the remediation and development of environmentally challenged properties within the City, 2) Economic Development Programs facilitating such remediation and development, and 3) City cooperation with the property owners of environmentally challenged sites; and

WHEREAS, on September 19, 2023, the City adopted its first Economic Development Strategic Plan which under Strategy 6.E calls for the development of partnerships with property owners to assess, investigate, and clean up contaminated sites, establishing Carson as a "national best-practices leader" in brownfield remediation and redevelopment; and

WHEREAS, to further the City's policies of prioritizing remediation and development of environmentally challenged properties within the City, the City intends on submitting an application for funding under the MARC Program and intends to apply for additional funding in subsequent MARC Program funding rounds; and

WHEREAS, the EPA may approve MARC funding for the City, subject to the terms and conditions of the MARC Program Guidelines, Grant Agreements, and other program related contracts between EPA and the City.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CARSON, DOES HEREBY RESOLVE AS FOLLOWS:

1. Recitals. The City Council finds and determines that all the foregoing recitals are true and correct and incorporated herein.

2. Approval. The City Council hereby authorizes the City Manager, or his/her designee, to execute and submit current and future MARC Program Application(s) or modifications thereto, as well as any other documents which are related to the MARC Program or the MARC grant awarded to City, and otherwise take all actions and do all things which the City Manager or designee may deem necessary or desirable to accomplish the purposes of this Resolution that are not inconsistent with the provisions hereof.

3. Compliance with Laws. If City receives funds from the EPA under the MARC Program, it certifies that it will use all such funds in a manner consistent and in compliance with all applicable state and federal statutes, rules, regulations, and laws, including without limitation all rules and laws regarding the MARC Program, as well as any and all related MARC Program related contracts City may have with the EPA.

4. Severability. The City Council declares that, should any provision, section, paragraph, sentence or word of this Resolution be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Resolution as hereby adopted shall remain in full force and effect.

5. Certification. The City Clerk shall certify to the adoption of this Resolution and enter it into the book of original Resolutions.

6. Effective Date. This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Carson at a regular meeting held on the 17th day of October, 2023

CITY OF CARSON:

Lula Davis-Holmes, Mayor

ATTEST:

Dr. Khaleah Bradshaw, City Clerk

APPROVED AS TO FORM:

Sunny K. Soltani, City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF CARSON)

I, Dr. Khaleah Bradshaw, City Clerk of the City of Carson, California, hereby attest to and certify that the foregoing resolution, being Resolution No. 23-167, adopted by the City of Carson City Council at its meeting held on October 17, 2023, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

Dr. Khaleah Bradshaw, City Clerk