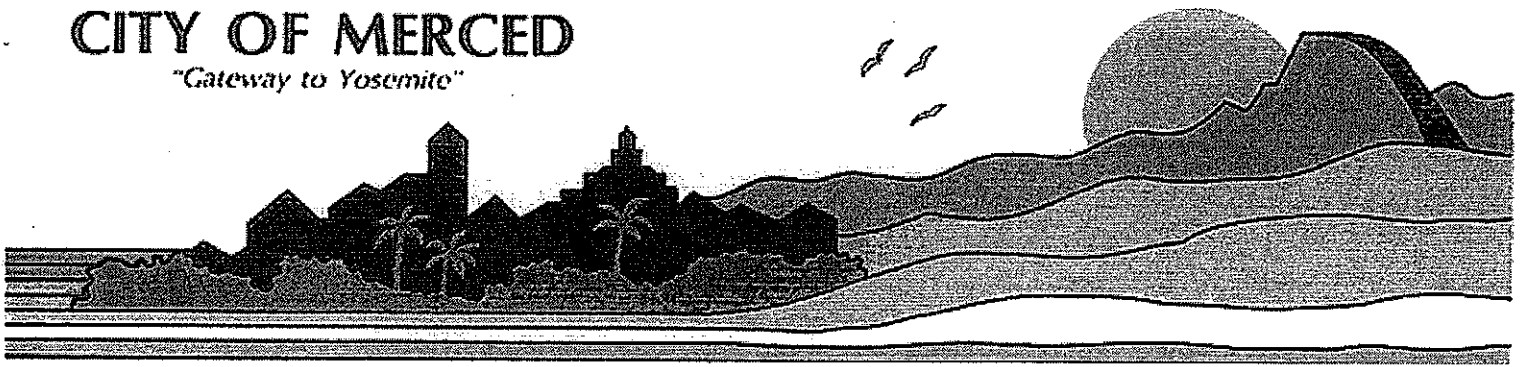


CITY OF MERCED

"Gateway to Yosemite"



CITY CLERK'S CERTIFICATE

I, JOHN M. BRAMBLE, City Clerk of the City of Merced, California, do hereby certify that the attached document, entitled:

RESOLUTION 2012-13

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MERCED, CALIFORNIA, APPROVING THE APPLICATION FOR GRANT FUNDS FOR THE SUSTAINABLE COMMUNITIES PLANNING GRANT AND INCENTIVE PROGRAM UNDER THE SAFE DRINKING WATER, WATER QUALITY AND SUPPLY, FLOOD CONTROL, RIVER AND COASTAL PROTECTION BOND ACT OF 2006 (PROPOSITION 84)

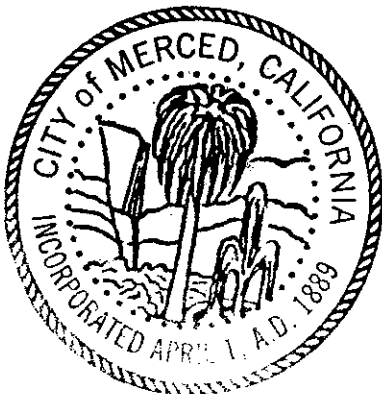
is a true and correct copy of the original on file in the Office of the Merced City Clerk, Merced, California.

DATED: February 10, 2012

JOHN M. BRAMBLE, CITY CLERK

BY:

JAMIE FANCONI
Deputy City Clerk



RESOLUTION NO. 2012-13

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF MERCED, CALIFORNIA,
APPROVING THE APPLICATION FOR GRANT
FUNDS FOR THE SUSTAINABLE COMMUNITIES
PLANNING GRANT AND INCENTIVE PROGRAM
UNDER THE SAFE DRINKING WATER, WATER
QUALITY AND SUPPLY, FLOOD CONTROL,
RIVER AND COASTAL PROTECTION BOND
ACT OF 2006 (PROPOSITION 84)**

WHEREAS, The State of California has taken steps to address greenhouse gas emission through the enactment of Assembly Bill 32 (2006 Session of the California Legislature); and,

WHEREAS, Local government actions taken to reduce greenhouse gas emissions provide multiple local benefits including increased energy efficiency, decreased air pollution, reduced energy utility bills, increased choice in mobility, and development of livable communities for its businesses and residents; and,

WHEREAS, The *Merced Vision 2030 General Plan* Policy SD-1.7 states: "Develop and Implement a Climate Action Plan for the City"; and,

WHEREAS, On September 7, 2010, the City Council adopted City Council Resolution 2010-80 to take a leadership role to reduce greenhouse gas emissions through future adoption of a Climate Action Plan; and,

WHEREAS, Senate Bill (SB) 97 acknowledges that climate change is an important environmental issue that requires analysis under the California Environmental Quality Act (CEQA); and,

WHEREAS, CEQA requires that Lead Agencies analyze the greenhouse gas emissions of proposed projects, and must reach a conclusion regarding the significance of those emissions, and, when a project's greenhouse gas emissions may be significant, lead agencies must consider a range of potential mitigation measures to reduce those emissions; and,

WHEREAS, CEQA mandates analysis of a proposed project's potential energy use (including transportation-related energy), sources of energy supply, and ways to reduce energy demand, including through the use of efficient transportation alternatives; and,

WHEREAS, Lead Agencies may significantly streamline the analysis of greenhouse gases on a project level by using a programmatic greenhouse gas emissions reduction plan meeting certain criteria (See CEQA Guidelines § 15183.5(b)); and,

WHEREAS, Use of a compliant programmatic GHG reduction plan (Climate Action Plan) will provide multiple benefits including: predictable development review procedures and mitigation requirements; reduced development application costs; and streamlined workflow for City of Merced ("City") staff; and,

WHEREAS, The Legislature and Governor of the State of California have provided funds for the Sustainable Communities Planning Grant and Incentives Program under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84); and,

WHEREAS, City staff will seek financial reimbursement from the state for administrative costs of managing the Project and consultant; and,

WHEREAS, Proposition 84 Funds may be utilized by local governments to create a compliant programmatic Climate Action Plan and associated code amendments; and,

WHEREAS, The Strategic Growth Council has been delegated the responsibility for the administration of this grant program, establishing necessary procedures; and,

WHEREAS, Said procedures require all award recipients commit to threshold requirements; and,

WHEREAS, Said procedures established by the Strategic Growth Council require a resolution certifying the approval of application(s) by the Applicant's governing board before submission of said application(s) to the State; and,

WHEREAS, The City, if selected, will enter into an acceptable agreement with the State of California to carry out the development of the proposal.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MERCED DOES HEREBY RESOLVE, DETERMINE, FIND, AND ORDER AS FOLLOWS:

SECTION 1. The City Council approves the filing of an application by the City to prepare a compliant programmatic Climate Action Plan and associated code amendments in order to become a more sustainable community.

SECTION 2. The City Council certifies that City understands the assurances and certification in the application.

SECTION 3. The City Council certifies that City or title holder will have sufficient funds to develop the Project or will secure the resources to do so.

SECTION 4. The City Council certifies that the Project will comply with any applicable laws and regulations, including being consistent with the State's Planning Priorities identified in Government Code Section 65041.1 and summarized below:

- a. Promote infill development and invest in existing communities.
- b. Protect, preserve and enhance agricultural land and natural resources.
- c. Encourage location and resource efficient new development.

SECTION 5. The City Council certifies that threshold requirements outlined in the guidelines will be met.

SECTION 6. The City Council agrees to reduce, on as permanent a basis as feasible, greenhouse gas emissions consistent with California Global Warming Solutions Act of 2006 (Division 25.5 (commencing with Section 3850) of Health and Safety Code) and any applicable regional plan.

SECTION 7. The City Council agrees to meet the Collaboration Requirements of the focus area applicable to the Proposal; and includes all required documents in the application package.

SECTION 8. The City Council appoints the City Manager or his designee as the agent to conduct all negotiations, execute and submit all documents

including, but not limited to, applications, agreements, payment requests and other items, which may be necessary for the completion of the Project.

PASSED AND ADOPTED by the City Council of the City of Merced at a regular meeting held on the 6th day of February 2012, by the following vote:

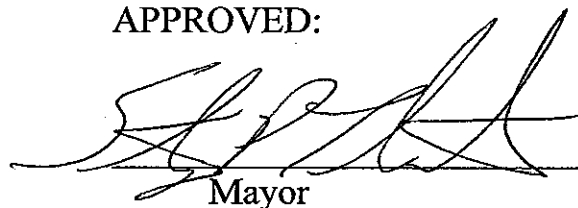
AYES: Council Members: DOSSETTI, MURPHY, RAWLING, LOR,
PEDROZO, THURSTON

NOES: Council Members: NONE

ABSENT: Council Members: BLAKE

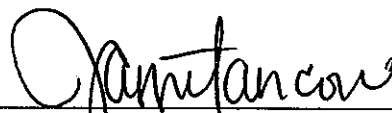
ABSTAIN: Council Members: NONE

APPROVED:

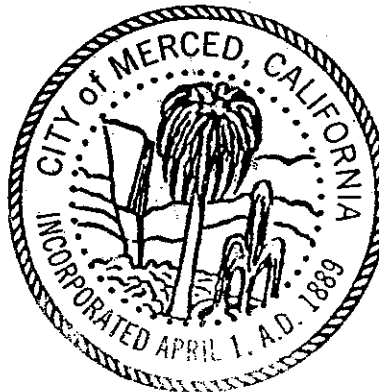


Mayor

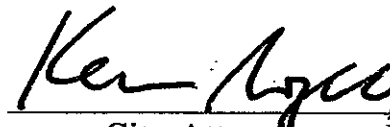
ATTEST:
JOHN M. BRAMBLE, CITY CLERK

BY: 
Assistant/Deputy City Clerk

(SEAL)



APPROVED AS TO FORM:

 1/17/12
City Attorney Date