

RESOLUTION NO. 04-35

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS
AUTHORIZING THE SUBMITTAL OF AN APPLICATION TO THE BAY AREA AIR
QUALITY MANAGEMENT DISTRICT FOR FUNDS TO REDUCE EMISSIONS
FROM SOLID WASTE COLLECTION VEHICLES AND AUTHORIZING THE
IMPLEMENTATION OF SAME, IF THE APPLICATION IS APPROVED BY THE
BAY AREA AIR QUALITY MANAGEMENT**

WHEREAS, the California Air Resources Board has adopted a new regulation that applies to public and private owners of solid waste collection vehicles (SWCVs) that perform residential and commercial solid waste collection;

WHEREAS, the regulation requires fleet owners to employ Best Available Control Technology (BACT) to reduce emissions of diesel particulate matter (PM) from SWCVs;

WHEREAS, the regulation does not require any reduction of nitrogen oxides (NOx) emissions;

WHEREAS, NOx emissions are a major component of ozone, a colorless, odorless gas that is injurious to human health when breathed;

WHEREAS, in the absence of incentive funding, it is expected that most fleets subject to the regulation will comply with the minimum baseline requirements to reduce PM emissions only and will not choose to exceed the requirements for diesel PM reduction nor choose to reduce any NOx emissions;

WHEREAS, the Bay Area Air Quality Management District ("Bay Area Air District") has allocated funding from the Transportation Fund for Clean Air to assist refuse fleets in choosing rule compliance strategies that reduce emissions beyond the requirements of the rule;

WHEREAS, local government agencies within the jurisdiction of the Bay Area Air District are eligible to receive these funds on behalf of the SWCV fleets that they own or that they hold under contract to perform solid waste collection;

WHEREAS, the City of Los Altos desires to encourage SWCV fleets under contract to the City to reduce emissions beyond the requirements of the rule;

WHEREAS, the City of Los Altos desires to apply to the Bay Area Air District for funding in response to the opportunity provided by the Bay Area Air District;

WHEREAS, the City of Los Altos desires to enter into a contract with the Bay Area Air District to allow for expenses incurred by a contracted SWCV fleet to be reimbursed by the Bay Area Air District to the City;

WHEREAS, the City of Los Altos understands that it will need to enter into a contract with the contracted SWCV fleet in order to allow for expenses incurred by the contracted SWCV fleet to be reimbursed by the City to the SWCV fleet; and

WHEREAS, the governing body of the local government agency must adopt a Resolution to approve the submittal of an application for SWCV incentive funds by that agency,

NOW THEREFORE BE IT RESOLVED that the City Manager is authorized to submit such application on behalf of the City of Los Altos;

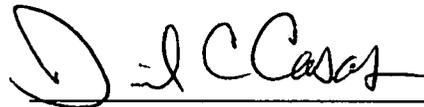
BE IT FURTHER RESOLVED That the City Manager is authorized to execute a funding agreement with the Bay Area Air Quality Management District for the purposes described above if said application is approved by the Bay Area Air Quality Management District.

The above and foregoing resolution was duly and properly introduced and adopted at a regular meeting of the Los Altos City Council held on December 14, 2004.

AYES: COLE, MOSS, PACKARD, LEAR, CASAS

NOES: NONE

ABSENT: NONE



David Casas, MAYOR



Susan Kitchens, CITY CLERK