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**RESOLUTION # 11-45**

**A RESOLUTION OF THE ALBANY CITY COUNCIL ADOPTING THE  
COLLECTION SERVICE AGREEMENT BETWEEN THE CITY OF  
ALBANY AND WASTE MANAGEMENT OF ALAMEDA COUNTY INC.  
FOR SOLID WASTE, RECYCLABLE, AND ORGANICS MATERIAL  
SERVICES**

**WHEREAS**, the State of California, through enactment of the California Integrated Waste Management Act of 1989 (California Public Resources Code Section 40000, et. seq.) recognizes the important health and safety consideration to long-term planning for local government's adequate Disposal needs. The California Integrated Waste Management Act of 1989 declares that the responsibility for management of Solid Waste is a shared responsibility between the State and local governments. The State requires local governments to make adequate provision for at least fifteen (15) years of Solid Waste Disposal capacity to preserve the health, safety and well-being of the public. The California Integrated Waste Management Act of 1989 also authorizes local governments to enter into exclusive franchise contracts to provide Solid Waste handling services for the health, safety and wellbeing of its citizens (California Public Resources Code Section 40059); and,

**WHEREAS**, the City Council of the City of Albany determines, pursuant to its police powers, that obtaining a long-term commitment for Collection, Processing, Transfer and Disposal, of Discarded Materials generated in the City is in the best interests of the health, safety and wellbeing of the citizens of the City; and,

**WHEREAS**, Section 15.2 of the City's Municipal Code establishes the City's authority to provide for the Collection and Disposal of Solid Waste through a contract with a solid waste collection provider; and

1           **WHEREAS**, the Alameda County Waste Reduction and Recycling Initiative  
2 Charter Amendment (Measure D) established a countywide goal of 75% reduction of  
3 waste going to landfills, adopted by City Council Resolution No. 07-51; and  
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5           **WHEREAS**, in 2009 the City Council adopted a Climate Action Plan that  
6 includes the goal of creating a zero waste community; and  
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8           **WHEREAS**, the franchise agreement with Waste Management of Alameda  
9 County Inc. (Contractor) provides a number of new diversion services to further increase  
10 the City's overall diversion of waste from the landfill; and  
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12           **WHEREAS**, the City Council has determined, based on Contractor's past  
13 performance, that Contractor, by demonstrated experience, reputation and capacity, is  
14 qualified to provide for the Collection of Solid Waste, Recyclable Materials, and Organic  
15 Materials within the corporate limits of the City, and the Transportation of such material  
16 to appropriate places of Processing, Recycling, Composting, and/or Disposal; and the  
17 City Council desires that Contractor be engaged to perform such services on the basis set  
18 forth in the Agreement; and  
19

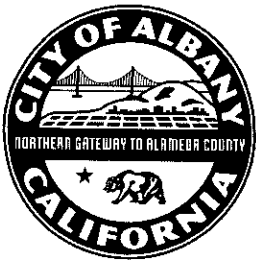
20           **WHEREAS**, the Agreement has been developed by and is satisfactory to the  
21 Parties.  
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23  
24           **NOW, THEREFORE, BE IT RESOLVED** that the City Council adopts the  
25 Collection Service Agreement between the City of Albany and Waste Management of  
26 Alameda County, Inc.  
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1           **FURTHER RESOLVED** that the agreement shall commence on November 1,  
2 2011 for a term of ten years, with the option of two five-year extensions at the sole  
3 discretion of the City.  
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Mayor Farid Javandel



# City of Albany

1000 San Pablo Avenue • Albany, California 94706  
(510) 528-5710 • www.albanyca.org

## RESOLUTION NO. 2011-45

PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF ALBANY,

this 17th day of October , 2011 , by the following votes:

AYES: Council Members Atkinson, Lieber, Wile and Mayor Javandel

NOES: Council Member Thomsen

ABSENT:

WITNESS MY HAND AND THE SEAL OF THE CITY OF ALBANY, this

19th Day of October, 2011.

Eileen Harrington  
DEPUTY CITY CLERK

*The City of Albany is dedicated to maintaining its small town ambience, responding to the needs of a diverse community, and providing a safe, healthy and sustainable environment.*



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