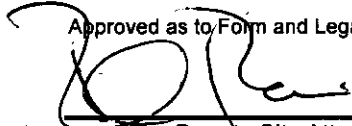


FILED
OFFICE OF THE CITY CLERK
OAKLAND

2014 MAR 27 PM 12:48

Approved as to Form and Legality

Deputy City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. 84924 C.M.S.

A RESOLUTION APPROVING RENEWAL OF THE OAKLAND/BERKELEY RECYCLING MARKET DEVELOPMENT ZONE

WHEREAS, California Public Resources Code Section 42010 provides for the establishment of the Recycling Market Development Zone (RMDZ) program throughout the State to provide incentives to stimulate development of post-consumer and secondary materials markets for recyclables; and

WHEREAS, the Oakland/Berkeley RMDZ includes designated and contiguous portions of the cities of Oakland and Berkeley; and

WHEREAS, all California cities and counties must meet a 50 percent reduction in landfill waste disposal as mandated in the California Integrated Waste Management Act; and

WHEREAS, in 2011, the state of California adopted a 75% recycling goal by 2020; and

WHEREAS, the City of Oakland developed and adopted a Zero Waste Strategic Plan in 2006 which seeks to approach zero waste by 2020; and

WHEREAS, the Oakland/Berkeley RMDZ is dedicated to establishing, sustaining and expanding recycling-based manufacturing businesses, which is essential for market development and to assist local jurisdictions to meeting the established landfill reduction goals; and

WHEREAS, Oakland is home to over 35 recycling-based businesses employing approximately 1,200 individuals, many of them Oakland residents; and

WHEREAS, expanded local and regional utilization of recycled materials for value-added, onshore processing and manufacturing creates employment and reduces generation of greenhouse gases, in line with the City's Energy and Climate Action Plan adopted in 2013; and

WHEREAS, the Oakland/Berkeley RMDZ designation will expire on April 28, 2014 unless re-

designated by the California Dept. of Resources Recycling and Recovery (CalRecycle); and

WHEREAS, the City of Oakland still desires that its existing and new recycling-based manufacturing businesses locating within the region be eligible for the technical and financial incentives associated with the RMDZ program; and

WHEREAS, renewal of the Oakland/Berkeley RMDZ will not change its boundaries, budget, or day-to-day operations; and

WHEREAS, the renewal of the Oakland/Berkeley RMDZ is still necessary to facilitate local and regional planning, coordination, support of existing recycling-based manufacturing businesses, as well as attract private sector recycling business investments to the region; and

WHEREAS, the current and proposed waste management practices and conditions are favorable to the development of post-consumer and secondary waste materials markets; and

WHEREAS, the California Legislature has defined environmental justice as "the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies" 9Government Code Section 65040.12(e)), and has directed the California Environmental Protection Agency to conduct its programs, policies, and activities that substantially affect human health or the environment in a manner that ensures the fair treatment of people of all races, cultures, and income levels, including minority populations and low-income populations of the state 9Public Resources Code section 71110(a)); and

WHEREAS, in accordance with the California Environmental Quality Act (CEQA), as the lead agency for the zone, the City of Oakland prepared, filed and adopted a Negative Declaration when the RMDZ was renewed in 2003 that found that the project would not present a significant impact on the environment; and

WHEREAS, the City of Oakland, on the basis of the entire record before it, finds and adopts the 2003 Negative Declaration as it still applies to the current renewal, and

WHEREAS, California Environmental Quality Act Guidelines Section 15162 precludes the preparation of an environmental impact report when a negative declaration was previously adopted, except under certain specific circumstances not applicable here; now, therefore, be it

RESOLVED: That the City of Oakland approves the renewal of the Oakland/Berkeley Recycling Market Development Zone, which includes Oakland and Berkeley, and authorizes the submittal of a Recycling Market Development Zone renewal application to CalRecycle; and be it

FURTHER RESOLVED: That the City of Oakland agrees to administer the RMDZ program in a manner that seeks to ensure the fair treatment of people of all races, cultures and incomes, including but not limited to soliciting public participation in all communities within the RMDZ.

APR 22 2014

IN COUNCIL, OAKLAND, CALIFORNIA, _____

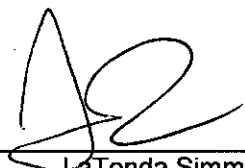
PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REIE, SCHAAF and PRESIDENT KERNIGHAN - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST: 

LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California