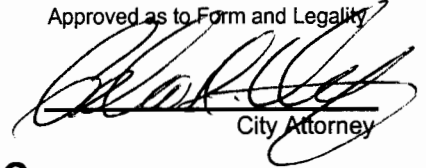


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OFFICE OF THE CITY CLERK
OAKLAND
2010 JUN 30 AM 10:53

OAKLAND CITY COUNCIL

Approved as to Form and Legality



City Attorney

RESOLUTION No. 82899 C.M.S.

RESOLUTION AUTHORIZING SUBMITTAL OF USED OIL PAYMENT PROGRAM APPLICATIONS AND TO ACT AS LEAD JURISDICTION FOR OTHER ALAMEDA COUNTY JURISDICTIONS, TO THE CALIFORNIA DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY AND APPROPRIATION OF THOSE PAYMENTS FOR USED MOTOR OIL AND USED OIL FILTER RECYCLING BEGINNING WITH FISCAL YEAR 2010/2011 AND EFFECTIVE UNTIL RESCINDED BY THE CITY COUNCIL

WHEREAS, pursuant to Public Resources Code § 48690 the Department of Resources Recycling and Recovery (CalRecycle), formerly known as the California Integrated Waste Management Board, has established the Used Oil Payment Program (OPP) to make payments to qualifying jurisdictions for implementation of their used oil recycling programs; and

WHEREAS, CalRecycle's procedures for administering the OPP require, among other things, a regional applicant's governing body to declare by resolution certain authorizations related to the administration of the OPP; and

WHEREAS, the OPP allows regional participation; and

WHEREAS, if awarded the City of Oakland (City) will enter into an agreement with CalRecycle for implementation of said payments; and

WHEREAS, the City will submit applications for OPP funds for used motor oil and oil filter collection and recycling services and public education activities; and

WHEREAS, all jurisdictions in Alameda County are member agencies of StopWaste.Org (the Alameda County Waste Management Authority), a regional Joint Powers Authority that was formed for the purpose of, and having expertise in, recycling and solid waste project planning and implementation; and

WHEREAS, StopWaste.Org provides services and programs to its member agencies, and may provide and receive funds from its member agencies, and

WHEREAS, the City and other Alameda County jurisdictions have agreed, but are not obliged, to provide a percentage of OPP funds to StopWaste.Org to provide regional used oil and oil filter recycling public education; and

WHEREAS, the City desires to have the ability to join with participating jurisdictions in the implementation of a regional used oil recycling public education program; now, therefore be it

RESOLVED: That the City Council hereby authorizes the submittal of applications to CalRecycle for OPP funds; and be it

FURTHER RESOLVED: That the City Administrator or a designee is hereby authorized and empowered to execute in the name of the City of Oakland any and all documents currently required by CalRecycle, including but not limited to, applications, agreements, annual reports including expenditure reports, and any subsequent amendments to or extensions of said documents, to secure OPP funds and implement approved projects; and be it

FURTHER RESOLVED: That the City Administrator or a designee is hereby authorized to receive and appropriate OPP funds to the California Integrated Waste Management Fund (2154), to expend the funds on used motor oil and oil filter collection and public education activities; and be it

FURTHER RESOLVED: That, should StopWaste.Org, other Alameda County jurisdictions and the City agree to implement a Countywide public education campaign, the City Council authorizes the expenditure of appropriated funds to be payable to StopWaste.Org for that purpose; and be it

FURTHER RESOLVED: That the City Council authorizes the City of Oakland to be applicant and lead jurisdiction for OPP funds on behalf of itself, and participating jurisdictions that authorize the City to act on their behalf; and be it

FURTHER RESOLVED: That this authorization is effective until rescinded by the City Council; and be it

FURTHER RESOLVED: That the City Attorney's Office has reviewed this resolution as to form and legality and a copy of this resolution shall be filed with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, JUL 20 2010, 20

PASSED BY THE FOLLOWING VOTE:

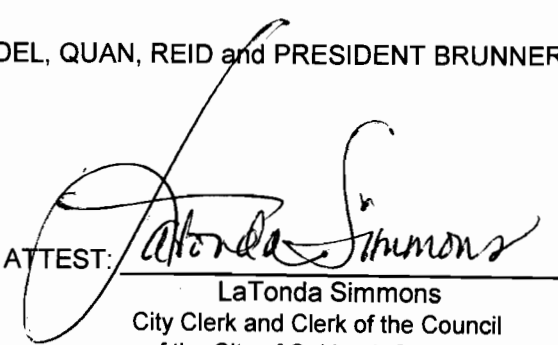
AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID and PRESIDENT BRUNNER - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:


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