

2013 MAY -9 PM 3:41

**OAKLAND CITY COUNCIL**

DRAFT

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**RESOLUTION No. \_\_\_\_\_ C.M.S.**

Introduced by Councilmembers Kaplan and Kernighan

**A RESOLUTION EXPRESSING SUPPORT FOR SB 254 (HANCOCK) AN ACT TO ADD CHAPTER 21 (COMMENCING WITH SECTION 42985) TO PART 3 OF DIVISION 30 OF THE PUBLIC RESOURCES CODE, RELATING TO SOLID WASTE: USED MATTRESSES: RECYCLING AND RECOVERY**

**WHEREAS,** Existing law prohibits the dumping of solid waste, except at specific solid waste disposal sites as authorized by law.

**WHEREAS,** In recent years, the problem of illegally dumped mattresses has become more serious, especially in the parts of the state that have been hit hardest by the recent recession.

**WHEREAS,** Existing law provides several examples for the disposal of solid waste. **AB 2020** (Margolin, 1986), the popularly-known “bottle bill,” created a now-widespread program allowing for the recycling and redemption of beverage containers. **SB 20** (Sher, 2003) created a program to deal with the problem of illegally disposed e-waste, including discarded computer equipment and other electronics.

**WHEREAS,** There is currently no statute addressing the problem of illegally dumped mattresses.

**WHEREAS,** More communities are experiencing an increased number of illegally dumped mattresses, especially given the foreclosure crisis resulting from the recent recession.

**WHEREAS,** the dumping of garbage on the streets of the city continues to be one of the most challenging problems that the City of Oakland experiences,

**WHEREAS,** Illegal dumping continues to account for the highest number of calls received by the Public Works Agency Call Center, with 32.2% (11,500) of the service calls to Public Works in 2011 being for illegal dumping.

**WHEREAS,** In Oakland between 18 and 35 mattresses are recovered per day on average

**WHEREAS,** the scope of the problem is growing since the beginning of the 2013, upwards of fifteen (15) mattresses have been found dumped at some locations, and on some days up to fifty (50) mattresses a day are removed by Public Works staff,

**WHEREAS**, The accumulation of these used mattresses in public spaces, especially if left for long periods of time, can pose a serious public health problem. Used mattresses can be a breeding ground for mold and pests.

**WHEREAS**, the city staffing dedicated to the removal of illegal dumping includes twenty-nine (29) FTE, at a cost of \$3,210,332 to the citizens of Oakland,

**WHEREAS**, the city estimates that municipal operations devoted to recovering mattresses costs approximately \$500,000 annually.

**WHEREAS**, The costs of illegally dumped mattresses—both in risk to public health and the burden on financially strapped cities—require action by the legislature.

**WHEREAS**, The Used Mattress Recovery and Recycling Act will require manufacturers of mattresses sold in this state to develop, finance and implement a convenient and cost effective program to collect and recycle used mattresses.

**NOW THEREFORE, BE IT RESOLVED**, that the Oakland City Council endorses SB 254 (Hancock) an act to add chapter 21 (commencing with section 42985) to part 3 of division 30 of the public resources code, relating to solid waste: used mattresses: recycling and recovery

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 20\_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, GALLO, KAPLAN, MCELHANEY, REID, SCHAAF, and PRESIDENT KERNIGHAN

NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_

\_\_\_\_\_  
Council  
California

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