

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2008 SEP - PM 2:14

# OAKLAND CITY COUNCIL

RESOLUTION No. 81573 C.M.S.

City Attorney

Introduced by Councilmember Jean Quan

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**RESOLUTION AMENDING THE ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY JOINT POWERS AGREEMENT SECTION 7.D "VOTE REQUIRED" OF THE JOINT EXERCISE OF POWERS AGREEMENT FOR WASTE MANAGEMENT, MAINTAINING THE TWO-THIRDS MAJORITY VOTE FOR ACTIONS REQUIRING EXPENDITURES OF FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00) OR MORE, AND ALLOWING ALL OTHER ACTIONS TO PROCEED BASED ON A MAJORITY OF THE AUTHORIZED VOTE**

**WHEREAS**, the City of Oakland is a member agency of Alameda County Waste Management Authority (ACWMA), which was created pursuant to the Joint Exercise of Powers Agreement (JPA) for Waste Management dated February 13, 1990 as amended from time to time thereafter; and

**WHEREAS**, on June 25, 2008 the ACWMA Board recommended that ACWMA's member agencies approve an amendment to the JPA to simplify voting procedures for the ACWMA Board; and

**WHEREAS**, this change to the voting requirement will streamline the approval process for ordinary actions while ensuring major decisions with significant fiscal impact are approved by broad consensus; now, therefore be it

**RESOLVED:** that the City Council of the City of Oakland approves the following amendment to Section 7.d of the Joint Exercise of Powers Agreement for Waste Management, with text to be inserted in underline italics, and text to be deleted in strikeout.

d. Vote Required

A two-thirds majority of the authorized vote shall be required for expenditures of \$500,000 or more. Except as provided elsewhere in this Agreement, a majority of the authorized vote shall be required for all other actions. ~~The adoption of a resolution or ordinance. A majority vote of those present and voting shall be required for any other action. Actions to approve Authority participation in or financing of countywide or regional facilities, or countywide systems of subregional facilities, shall be by resolution, and shall also require a vote of two-thirds of the Agencies.~~

IN COUNCIL, OAKLAND, CALIFORNIA, SEP 16 2008, 20\_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**


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

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:

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