

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL

2004 JUN -3 PM 7:48

RESOLUTION NO. 78629 C.M.S

INTRODUCED BY COUNCILMEMBER _____



RESOLUTION OF THE CITY OF OAKLAND OPPOSING ASSEMBLY BILL 2290 (CHAVEZ), WHICH PROPOSES TO ELIMINATE FRANCHISE AND LOCAL AGENCY FEES COLLECTED FROM STATE AGENCIES FOR SOLID WASTE COLLECTION SERVICES

WHEREAS, the City of Oakland and/or its residents would be affected by the proposed State Legislation; and

WHEREAS, AB 2290 (Chavez) would permit a solid waste service provider to deduct Local and Franchise Fees collected from state agencies including school districts for solid waste services if the local agency does not have the legal authority to directly impose those fees on the state agency or the state agency has not paid the local fees to the solid waste service provider; and

WHEREAS, the Local and Franchise Fees are imposed on the exclusive franchise hauler pursuant to Government Code Section 41901, and the City of Oakland has based the Franchise Fee on a percentage of its exclusive franchise solid waste service provider's gross revenue; and

WHEREAS, in October 2002, the City Council adopted a 75% waste diversion goal by year 2010 in alliance with the countywide goal established by the Alameda County Source Reduction and Recycling Board, after the City met the 50% State diversion requirement through a comprehensive integrated waste management program designed to promote source reduction and recycling; and

WHEREAS, the City of Oakland uses the Local fees for implementing integrated waste management programs including recycling and household hazard waste, and the Franchise Fees are used as part of the City's General Fund revenues, and therefore, the elimination of both fees would have an adverse impact on the City's integrated waste management program; would impact the General Fund revenues; and could potentially impact Oakland residents through the garbage rate structure; now therefore, be it

RESOLVED: that the City of Oakland declares its opposition for AB 2290 (Local agency fees: state agencies: solid waste collection services) by Chavez; and be it


FURTHER RESOLVED: that the City Council directs the City Manager and the City's legislative lobbyist to advocate for the above position in the State Legislature.

IN COUNCIL, OAKLAND, CALIFORNIA, JUN 15 2004, 2004

PASSED BY THE FOLLOWING VOTE:

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

NOES - 0
ABSENT - 0
ABSTENTION - 0

ATTEST: 
CEDA FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California