

*Arnold Soth*  
City Attorney

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2016 JUN -2 PM 2:20

OAKLAND CITY COUNCIL

RESOLUTION No. 86242 C.M.S.

INTRODUCED BY COUNCILMEMBER \_\_\_\_\_

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, OR DESIGNEE, TO ENTER INTO A KIOSK SERVICES AGREEMENT AND TAKE-BACK SERVICES AGREEMENT WITH THE ALAMEDA MED-PROJECT LLC TO IMPLEMENT THE SAFE DRUG DISPOSAL KIOSK COLLECTION PROGRAM**

**WHEREAS**, Medicines help treat diseases, manage chronic conditions, and improve health and well-being for millions of people but once expired should be properly disposed of prevent misuse; and

**WHEREAS**, unwanted prescription and over-the-counter (OTC) medicines that are flushed down toilets reach natural water bodies and lead to water contamination; and

**WHEREAS**, The Alameda County Board of Supervisors approved the Alameda County Safe Drug Disposal (SDD) Ordinance in February 2012, and revised in March 2016, which requires that pharmaceutical manufacturers and retailers in Alameda County operate or participate in a Product Stewardship Program for the disposal of unwanted drugs and medicine; and

**WHEREAS**, Pharmaceutical manufacturers and retailers created the national Pharmaceutical Product Stewardship Working Group (PPSWG) to respond to regional unwanted prescription and over-the-counter (OTC) drug and medicine collection and disposal regulations, and the PPSWG created the MED-Project; and

**WHEREAS**, the MED-Project LLC (MED-Project) is a public, non-profit entity created to support and implement the Alameda County Product Stewardship Plan, including the education and outreach programming; and

**WHEREAS**, the Alameda County Board of Supervisors approved the MED-Project Product Stewardship Plan on Feb, 25, 2015 following a Public Hearing; and

**WHEREAS**, the MED-Project will create and operate take-back events to collect unwanted prescription and over-the-counter (OTC) medicines from Alameda County households; and

**WHEREAS**, pharmaceutical manufacturers and retailers in Alameda County can partner with the MED-Project to fulfill their legal requirements to develop or participate in a product stewardship plan; and

**WHEREAS**, the MED-Project plans to place drug and medicine disposal kiosks in the police administration building (PAB) and the OPD Eastmont Substation (ES) where anyone can deposit the unwanted medicine; and

**WHEREAS**, OPD and the MED-Project require a joint-Kiosk Services Agreement before any kiosks can be placed at the PAB or ES; and

**WHEREAS**, the MED Project plans to hold various drug and medicine take-back events in Oakland, which require the presence of law-enforcement personnel for the safe drug and medicine collection; and

**WHEREAS**, the MED-Project will reimburse OPD for any personnel costs if OPD chooses to participate in take-back events in other locations in the City of Oakland; and

**WHEREAS**, OPD and the MED-Project require a Take-Back Services Agreement for OPD personnel to participate in take-back events; therefore be it

**RESOLVED:** That the City Council hereby authorizes the City Administrator, or designee, to enter into A Kiosk Services Agreement and a Take-Back Services Agreement To Implement The Safe Drug Disposal Kiosk Collection and Take Back Program; and be it

**FURTHER RESOLVED:** That the Kiosk Services Agreement and Take-Back Services Agreement will stipulate that the MED-Project will comply with all pertinent laws and will possess all required permits, licenses, and authorizations, and that OPD will not be required to possess any additional permits, licenses or authorizations; and be it

**FURTHER RESOLVED:** That the City Administrator, or designee, is hereby authorized to complete all required negotiations, certifications, assurances, and documentation required to accept, modify, extend and/or amend the proposed Kiosk Services Agreement and Take-Back Services Agreement with the MED-Project; and be it

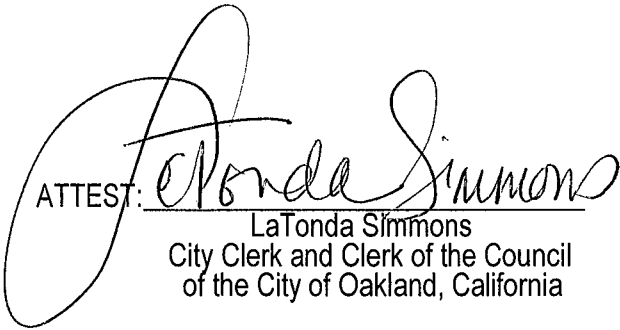
**FURTHER RESOLVED:** That the City Attorney shall review and approve said proposed Kiosk Services Agreement and Take-Back Services Agreement with the MED-Project and OPD, as to form and legality and a copy shall be placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, JUN 21 2016

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL-WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID AND  
PRESIDENT GIBSON MCELHANEY — 8

NOES -  $\emptyset$   
ABSENT -  $\emptyset$   
ABSTENTION -  $\emptyset$

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