



AGENDA REPORT

TO: Edward D. Reiskin
City Administrator

FROM: G. Harold Duffey
Director, Oakland Public
Works Department

SUBJECT: Settlement of CWS
Lawsuit/Amendment of Residential
Recycling (RR) Collection Services
Franchise Ordinance/First
Amendment of RR Franchise
Agreement

DATE: November 29, 2021

City Administrator Approval 

Date: Dec 2, 2021

RECOMMENDATION

Staff Recommends That The City Council Adopt An Ordinance Amending Ordinance No. 13274 C.M.S., Which Awarded California Waste Solutions, Inc. (CWS) An Exclusive Residential Recycling Collection Services Franchise Contract (RR Franchise Agreement), To Authorize And Approve The First Amendment To The RR Franchise Agreement Which Will:

- (1) Clarify The Rate For Premium Backyard Multi-Family Dwelling (MFD) Recycling Services For Carts;**
- (2) Modify Certain Provisions And Services CWS Provides Under The RR Franchise Agreement As Described And Specified In This Ordinance And First Amendment To The RR Franchise Agreement; And**
- (3) Adopt Appropriate California Environmental Quality Act (“CEQA”) Findings.**

EXECUTIVE SUMMARY

On May 22, 2015, pursuant to Ordinance No. 13274 C.M.S. which amended City Ordinance No. 13254 C.M.S., the City and California Waste Solutions (CWS) entered into the Residential Recycling Collection Services Contract (RR Franchise Agreement”), pursuant to which CWS commenced performance of services on July 1, 2015. During the initial term of the Contract, disputes arose between the City and CWS regarding the maximum rates CWS could charge customers for providing backyard cart service at multi-family dwelling properties (MFD) and whether CWS was entitled to additional compensation for a unit count adjustment. The City maintained that the maximum rate CWS could charge for Premium Backyard MFD Recycling Services for carts in 2015 was \$27.85 per cart per month (adjusted to \$34.22 in 2021/22). Instead CWS charged the “Push Rate” intended for metal bins (\$152.68 per metal bin per month in 2015 and adjusted to \$187.57 in 2021/22) to provide premium backyard cart service. It is

City Council
December 7, 2021

estimated that as of June 2021, the total amount that MFD property owners have overpaid CWS for Premium Backyard MFD Recycling Services was approximately \$6 million.

On March 20, 2017, the City filed a lawsuit against CWS on behalf of the City and the Oakland MFD property owners (*City of Oakland v. California Waste Solutions, Inc.*, Case No. RG17853559, Alameda County Superior Court).

The City and CWS are entering into a Settlement Agreement and Mutual Release (Settlement Agreement) that will terminate the disputes set forth in the *City of Oakland v. California Waste Solutions, Inc.* lawsuit.

The Settlement Agreement provides the following:

1. CWS will refund overpayments to every such affected MFD property owner through a third-party claims administrator. As of June 2021, the estimated total amount of overpayments was approximately \$6 million.
2. CWS will lower the rate it may charge customers for Premium Backyard MFD Recycling Services from \$187.57 per cart per month to the correct rate (\$27.85 per cart per month in 2015/16, or \$34.22 per cart per month as adjusted in 2021/22).
3. To settle the unit count dispute the City will pay CWS \$1.7 million over the period from 2021-2024, and amend the RR Franchise Agreement to reduce CWS' cost obligations throughout the remaining term of the RR Franchise Agreement by approximately \$1.5 million, as follows:
 - a. CWS' current annual cost obligation for conducting waste characterization studies and processing diversion studies will be reduced from approximately \$42,000 to \$10,000 in 2021. In subsequent years the amount from the prior year shall be adjusted by the Annual Rate adjustment as set forth in Section 7.07 of the RR Franchise Agreement.
 - b. CWS' current annual cost obligation for Community Outreach shall be reduced from \$250,000 to \$190,000.

These amendments to RR Franchise Agreement will not impact the services Oakland rate payers and residents receive from CWS.

BACKGROUND / LEGISLATIVE HISTORY

Ordinance No. 13254 C.M.S. (**Attachment A**) granted a franchise for residential recycling collection services to CWS for a term of ten years from July 1, 2015 through June 30, 2025, with two five-year extension options in 2022 and 2027. Subsequently, the City Council adopted Ordinance No. 13274 C.M.S. (**Attachment B**) on December 9, 2014, to amend Ordinance No. 13254 to change the term of the Contract to 20 years, from July 1, 2015 to June 30, 2035. The City and CWS then entered into the RR Franchise Agreement on May 22, 2015.

CWS commenced performance of said services on July 1, 2015. Disputes arose during the initial term of the Contract between the parties regarding the maximum rate CWS could charge for providing “premium backyard” services at multi-family dwelling properties and whether CWS was entitled to additional compensation for a unit count adjustment. CWS charged MFD customers \$152.68 per metal bin per month in 2015 and adjusted to \$187.57 per cart per month in 2021/22 for providing “premium backyard services” while the City maintained that the maximum rate in 2015 should be \$27.85 per cart per month (or \$34.22 per cart per month as adjusted in 2021/22).

Regarding the unit count issue, CWS claimed that the City overestimated its customer base during said Contract’s Request for Proposal phase, which unfairly influenced CWS’ proposed service rates. This resulted in a lawsuit filed by the City against CWS (*City of Oakland v. California Waste Solutions, Inc.*, Case No. RG17853559, Alameda County Superior Court).

The City and CWS are entering into a Settlement Agreement that entails amending certain provisions of the RR Franchise Agreement and clarifying the maximum rate that CWS may charge MFD cart customers for “Premium Backyard MFD Recycling Service.”

ANALYSIS AND POLICY ALTERNATIVES

CWS overcharged its MFD cart customers for premium backyard services and has agreed to lower its rate and refund overpayments. The City agreed compensate CWS to resolve the unit count dispute. Staff proposes no alternatives to this proposed settlement of the dispute between the City and CWS.

Approval of the proposed action supports the City’s goal of building **vibrant, sustainable infrastructure**. The number of MFD properties that opt to subscribe to Premium Backyard MFD Recycling Services is expected to increase when the rate for this service is lowered, enhancing the City’s Recycling Program and enabling increased participation in recycling by MFD residents and property owners.

Successfully negotiating to lower the backyard service rate also advances the City’s goal of being a **responsive, trustworthy government**.

FISCAL IMPACT

Modifying the rate CWS may charge customers for Premium Backyard MFD Recycling Services will result in an estimated refund back to Oakland ratepayers totaling \$6 million (as of June 2021).

To settle the unit count dispute, the City will pay CWS \$1.7 million in monthly installments over four years out of the General Purpose Fund. In addition, the City has agreed to reduce CWS’ annual Community Outreach Budget from \$250,000 to \$190,000. CWS will also reduce their cost obligations for conducting waste characterization studies and processing diversion studies from approximately \$42,000 to \$10,000 in 2021. And, in subsequent years, the amount from the prior year shall be adjusted by the Annual Rate adjustment as set forth in Section 7.07 of the

RR Franchise Agreement. These reductions are not expected to result in equivalent City budget increases to make up the difference.

PUBLIC OUTREACH / INTEREST

No outreach was deemed necessary for the proposed action beyond the standard City Council agenda noticing procedures because this is the outcome of a legal settlement negotiation process.

COORDINATION

This report and proposed ordinance have been reviewed by the Office of the City Attorney and Budget Bureau.

SUSTAINABLE OPPORTUNITIES

Economic: The proposed modifications to the rate CWS may charge customers for “Premium Backyard MFD Recycling Services” will result in an estimated \$6 million of refund to customers. This represents a substantial amount of money back in the pocket of local property owners, which potentially will be channeled to support local economic activities. Clearly establishing the maximum rate that CWS can charge will also ensure that customers will not be overcharged for applicable services on an ongoing basis.

Environmental: The number of MFD properties that opt to subscribe to Premium Backyard MFD Recycling Services is expected to increase when the rate for this service is adjusted from approximately \$187.57 per cart per month to an affordable rate (\$34.22 per cart per month in 2021/22) as originally intended, enhancing the City’s Recycling Program and enabling increased participation in recycling by MFD residents and property owners.

Race & Equity: The proposed modifications to the “Premium Backyard MFD Recycling Services” rates will ensure that CWS does not charge their customers more than what they are entitled to, which in turn reduces the possibility of property owners passing on such fees to tenants and of housing displacement in frontline communities.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The ordinance seeks to amend the existing RR Franchise Agreement to clarify the rates for Premium Backyard Multi-Family (“MFD”) Recycling Services for carts and modify certain provisions of the RR Franchise Agreement, which will enable the maintenance of this service within the applicable service area at specific rates. As such, the proposed amendments to the RR Franchise Agreement are statutorily exempt pursuant to CEQA Guidelines Section 15273(4) (Rates, Tolls, Fares and Charges obtaining funds for capital projects necessary to maintain service within an existing service area).

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That The City Council Adopt An Ordinance Amending Ordinance No. 13274 C.M.S., Which Awarded California Waste Solutions, Inc. ("CWS") An Exclusive Residential Recycling Collection Services Franchise Contract ("RR Franchise Agreement"), To Authorize And Approve The First Amendment Of The RR Franchise Agreement Which Will:

- (1) Clarify The Rate For Premium Backyard Multi-Family ("MFD") Recycling Services For Carts;
- (2) Modify Certain Provisions And Services CWS Provides Under The RR Franchise Agreement As Described And Specified In This Ordinance And First Amendment To The RR Franchise Agreement; And
- (3) Adopt Appropriate California Environmental Quality Act ("CEQA") Findings.

For questions regarding this report, please contact Peter Slote, Solid Waste/Recycling Program Supervisor, at (510) 238-7432.

Respectfully submitted,



G. Harold Duffey
Director, Oakland Public Works

Reviewed by:
Frank Foster, Acting Assistant Director
Bureau of Environment

Reviewed by:
Derek Lee, Manager
Environmental Services Division

Prepared by:
Peter Slote, Solid Waste/Recycling Program
Supervisor
Environmental Services Division

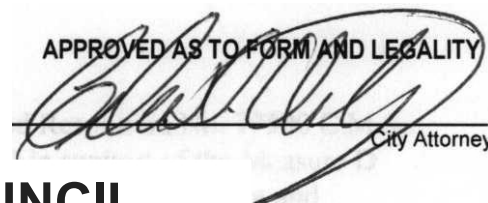
Attachments (2):

- A: Ordinance No. 13254 C.M.S.
- B: Ordinance No. 13274 C.M.S.

14 AUG 27 Pn 4: 45

APPROVED AS TO FORM AND LEGALITY

INTRODUCED BY COUNCILMEMBER _____



City Attorney

OAKLAND CITY COUNCIL
ORDINANCE rte: 13254 c.M.S.

ORDINANCE GRANTING A FRANCHISE FOR RESIDENTIAL RECYCLING COLLECTION SERVICES TO CALIFORNIA WASTE SOLUTIONS, INC., CONTINGENT ON ITS EXECUTION OF A RESIDENTIAL RECYCLING COLLECTION SERVICES AND NON-EXCLUSIVE COMMERCIAL RECYCLING COLLECTION SERVICES CONTRACT WITH THE CITY, AND AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE AND EXECUTE SUCH CONTRACT

WHEREAS, the Legislature of the State of California, by enactment of the California Integrated Waste Management Act of 1989 ("Act") and subsequent additions and amendments (codified at California Public Resources Code Section 40000 et seq.), has declared that it is in the public interest to authorize and require local agencies to make adequate provisions for Solid Waste Collection within their jurisdiction; and

WHEREAS, the State of California, through enactment of the California Integrated Waste Management Act of 1989 (California Public Resources Code Section 40000, et. seq.) also recognizes the important health and safety consideration to long-term planning for local government's adequate Disposal needs. The California Integrated Waste Management Act of 1989 declares that the responsibility for management of Solid Waste is a shared responsibility between the State and local governments. The State requires local governments to make adequate provision for at least fifteen (15) years of Garbage Disposal capacity to preserve the health, safety and well-being of the public. The California Integrated Waste Management Act of 1989 and Oakland City Charter Article X and Oakland Municipal Code Chapter 8.28 also authorize local governments to enter into exclusive franchise contracts to provide Garbage handling services for the health, safety and wellbeing of its citizens (California Public Resources Code Section 40059); and

WHEREAS, pursuant to California Public Resources Code Section 40059(a) as well as Oakland City Charter Article X and Oakland Municipal Code Chapter 8.28, the City has determined that the public health, safety, and well-being require that an exclusive right be awarded to a qualified contractor to provide for the Collection of Residential and Commercial Recyclable Materials and , except for Collection of materials excluded by the City's Municipal Code and the to-be-executed Residential Recycling Collection Services and Non-Exclusive Commercial Recycling Collection Services Contract, and other services related to meeting the Act's fifty (50) percent Diversion goal and other requirements of the Act; and

WHEREAS, in 1990 the Alameda County Waste Reduction and Recycling Initiative Charter Amendment established a county-wide solid waste diversion rate goal of seventy five (75) percent by 2010; and

WHEREAS, in 2002 the City Council of the City of Oakland passed Resolution No. 77500 C.M.S., to adopt a goal of 75% reduction of waste going to landfills by 2010 in support of the Measure D goal, and the implementation date established by the Alameda County Source Reduction and Recycling Board; and

WHEREAS, in 2006 the City Council of the City of Oakland approved Resolution No. 79774 C.M.S. which adopted a Zero Waste Goal by 2020; and

WHEREAS, in 2006 the City Council of the City of Oakland passed Resolution No. 80286 C.M.S., adopting a Zero Waste Strategic Plan; and

WHEREAS, it is the intent of the City to grant an exclusive franchise to California Waste Solutions (the "Franchise"), contingent on its execution of a Residential Recycling Collection Services and Non-Exclusive Commercial Recycling Collection Services Contract with the City to provide for the Collection and Processing of Recyclable Materials as defined in Article I of this to-be-executed Contract; and

WHEREAS, the City has simultaneously herewith granted an exclusive franchise, subject to execution of an associated contract, for the provision of Mixed Materials, Organics, and Bulky Goods Collection Services and authorized the execution an exclusive contract for Landfill Disposal services associated with the Residential Recycling and Mixed Materials and Organics Collection Contracts; and

WHEREAS, City further declares its intent to regulate and establish the maximum rates Franchisee will charge Customers for the Collection, transportation, and Processing of Recyclable Materials, both of which rates are incorporated into the maximum rates for Mixed Materials and Organics Services

WHEREAS, the City Council has determined through a competitive procurement process for Residential and Commercial Recycling Collection Services and that Franchisee, by demonstrated experience, reputation and capacity, is qualified to provide for the Collection of Residential and Commercial Recyclable Materials within the corporate limits of the City, the transportation of such material to appropriate places for Processing, and Recycling and the City Council desires that Franchisee be engaged to perform such services on the basis set forth in this to-be-executed Contract; and

WHEREAS, Franchisee, through its proposal to the City, has proposed and represented that it has the ability and capacity to provide for the Collection of Recyclable Materials within the corporate limits of the City; the transportation of such material to appropriate places for Processing and Recycling; and

WHEREAS, based on Franchisee's proposal to the City and subsequent negotiations with Franchisee, City desires to grant an exclusive franchise to Franchisee to provide Residential and Commercial Recycling Services as specified in the City's Request for Proposals, in accordance with the terms and conditions of the to-be-executed Contract; and

WHEREAS, in addition, Franchisee has agreed, pursuant to the RFP, to provide a commercial recycling service to all businesses on a non-exclusive basis during the term of and at the pricing specified in the Contract; and

WHEREAS, the City previously prepared and certified/adopted the 2002 Oakland Army Base (OARB) Redevelopment Plan Environmental Impact Report and Army Base Reuse Plan; and

WHEREAS, on June 12, 2012, the City Council adopted Resolution No. 83930 C.M.S., approving the amended Oakland Army Base (OARB) Reuse Plan, including adoption of the 2012 OARB Initial Study/Addendum, making related CEQA findings, and adopting the Standard Conditions of Approval/Mitigation Monitoring and Reporting Program; and

WHEREAS, the City Council has independently reviewed, considered and confirmed the environmental analysis prepared by CWS, attached to the July 21, 2014 City Council Agenda Report (Attachment C), incorporated herein by the reference as if fully set forth herein; and

WHEREAS, the City Council can rely upon the previously certified 2002 Army Base EIR and the 2012 Army Base Addendum for this action and no further environmental review is required, as demonstrated in the July 21, 2014 City Council Agenda Report and attachments; and

WHEREAS, as a further, separate and independent basis, the City Council also finds and determines that the requirements of CEQA have been satisfied, and this action on the part of the City Council is also exempt from CEQA pursuant, CEQA Guidelines section 15301, CEQA Guidelines section 15307, CEQA Guidelines section 15308, CEQA Guidelines section 15273, CEQA Guidelines section 15183, and/or CEQA Guidelines section 15061 (b) (3); and

WHEREAS, each of the foregoing provides a separate and independent basis for an exemption and when viewed collectively provides an overall basis for an exemption, as further described and explained in the accompanying environmental analysis dated July 21, 2014 attached to the July 21, 2014 City Administrator report to the City Council (Attachment C), incorporated herein by the reference as if fully set forth herein;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

Section 1. The City Council has independently reviewed and considered this environmental determination and finds and determines that the action complies with the CEQA; readopts the 2012 Army Base Addendum Standard Conditions of Approval/Mitigation Monitoring and Reporting Program (as revised on July 26, 2013); and directs the City's Environmental Review Officer to file a Notice of Determination/Exemption.

Section 2. The Council does hereby find and declare that the above recitals are true and correct and that the award of a franchise agreement for Residential and Commercial Recycling Collection Services to Franchisee is for a proper public purpose, is in the public interest, convenience, and welfare, and is for the common benefits of the inhabitants of the City. The City hereby grants California Waste Solutions, Inc., contingent on its execution of a Residential Recycling Collection Services and Non-Exclusive Commercial Recycling Collection Services Contract, an exclusive franchise for the provision of Recycling Collection Services, as identified in the Request for Proposals for Zero Waste Services, originally released on September 5, 2012. The term of the franchise from July 1, 2015 to June 30, 2025 with the potential extension through June 30, 2035 as specified in the Contract.

Section 3. Based on the form of the Residential Recycling Collection Services and Non-Exclusive Commercial Recycling Collection Services Contract circulated with the Requests for Proposals, City and Franchisee have reached general, but not complete agreement on the Residential Recycling Collection Services and Non-Exclusive Commercial Recycling Collection Services Contract, the current form of which is attached to the City Administrator Revised Agenda Report dated July 28, 2014 to the City Council. The City Administrator is authorized, subject to the review and approval of the City Attorney, to further negotiate and execute the a Residential Recycling Collection Services and Non-Exclusive Commercial Recycling Collection Services Contract on behalf of the City, consistent with this Ordinance and with the general form of the Contract attached to the City Administrator Revised Agenda Report dated July 28, 2014 to the City Council.

Section 4. The City Administrator is authorized to conduct all negotiations and execute all documents including but not limited to amendments, modifications, notices, and related actions (including rate adjustments as specified in the Contract) which may be necessary and consistent with the basic intent and purpose of this Ordinance and the Residential Recycling Collection Services and Non-Exclusive Commercial Recycling Collection Services Contract, except for those rate adjustments that the Oakland Municipal Code requires to be approved by Council.

Section 5. In consideration of the special franchise right granted by the City to Contractor to transact business, provide services, use the public street and/or other public places, and to operate a public utility for Residential and Commercial Recycling Collection Services. Contractor shall remit a monthly franchise fee payment to the City. July 1, 2015 through June 30, 2030, Contractor shall pay the City a monthly franchise fee of Three Million Dollars (\$3,000,000) per annum, subject to annual adjustment on July 1 each year by the as specified in the Contract.

AUG 13 2014

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF, and PRESIDENT
KERNIGHAN - +

NOES- \ - **C:.,4110**

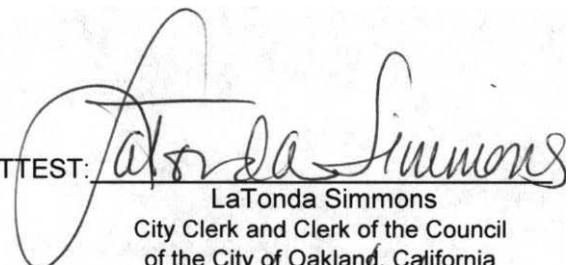
ABSENT-

ABSTENTION- 'Q

Introduction Date

JUL 30 2014

2302796.1

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

DATE OF ATTESTATION: 8/28/14



 City Attorney

 FILED
 OFFICE OF THE CITY CLERK
 OAKLAND

2814 HOV -6 PH 2:SI

OAKLAND CITY COUNCIL
13274-,,, C.M.S.
ORDINANCE No. _____ C.M.S.

AN ORDINANCE AMENDING ORDINANCE NO. 13254 C.M.S, WHICH, AMONG OTHER TIDNGS, GRANTED A FRANCIDSE FOR RESIDENTIAL RECYCLING COLLECTION SERVICES TO CALIFORNIA WASTE SOLUTIONS, INC., FOR A TERM OF TEN (10) YEARS FROM JULY 1, 2015 THROUGH JUNE 30, 2025, WITH TWO FIVE-YEAR EXTENSION OPTIONS IN 2022 AND 2027, TO CHANGE THE TERM OF THE CONTRACT TO TWENTY (20) YEARS: JULY 1, 2015 THROUGH JUNE 30, 2035, AND MAKE APPROPRIATE FINDINGS REQUIRED BY THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

WHEREAS, on August 13, 2014, the City Council of the City of Oakland approved Ordinance No. 13254 C.M.S., granting a franchise for residential recycling collection services to California Waste Solutions, Inc.; and

WHEREAS, through Ordinance No. 13254, the City Council specified the term of the Residential Recycling franchise to be July 1, 2015 to June 30, 2025 with two 5-year extensions through June 30, 2035 as specified in the Contract; and

WHEREAS, California Waste Solution (CWS) has asked and the Council has agreed to change the term of the Contract to twenty (20) years, July 1, 2015 to June 30, 2035, with no extensions; and

WHEREAS, the City previously prepared and certified/adopted the 2002 Oakland Army Base (OARB) Redevelopment Plan Environmental Impact Report and Army Base Reuse Plan; and

WHEREAS, on June 12, 2012, the City Council adopted Resolution No. 83930 C.M.S., approving the amended Oakland Army Base (OARB) Reuse Plan, including adoption of the 2012 OARB Initial Study/Addendum, making related CEQA findings, and adopting the Standard Conditions of Approval/Mitigation Monitoring and Reporting Program; and

WHEREAS, the City Council can rely upon the previously certified 2002 Army Base EIR and the 2012 Army Base Addendum for this action and no further environmental review is required, as demonstrated in the July 21, 2014 City Council Agenda Report and attachments; and

WHEREAS, as a further, separate and independent basis, the City Council also finds and determines that the requirements of CEQA have been satisfied, and this action on the part of the City Council is also exempt from CEQA pursuant, CEQA Guidelines section 15301, CEQA Guidelines section 15307, CEQA Guidelines section 15308, CEQA Guidelines section 15273, CEQA Guidelines section 15183, and/or CEQA Guidelines section 15061 (b) (3); and

WHEREAS, each of the foregoing provides a separate and independent basis for an exemption and when viewed collectively provides an overall basis for an exemption, as further described

and explained in the accompanying environmental analysis dated July 21, 2014 attached to the July 30, 2014 City Administrator report to the City Council (Attachment C), incorporated herein by the reference as if fully set forth herein.

THE COUNCIL OF THE CITY OF OAKLAND BOES ORDAIN AS FOLLOWS:

Section I. The City Council has independently reviewed and considered these environmental determinations and finds and determines that the action complies with the CEQA; readopts the 2012 Army Base Addendum Standard Conditions of Approval/Mitigation Monitoring and Reporting Program (as revised on July 26, 2013); and directs the City's Environmental Review Officer to file a Notice of Determination/Exemption.

Section 2. The Council does hereby find and declare that the above recitals are true and correct and that Section 3.01 of the franchise agreement for Residential Recycling Collection Services shall read as follows:

Term. The term of this Contract shall be for twenty (20) year period beginning July 1, 2015, and terminating on June 30, 2035.

IN COUNCIL, OAKLAND, CALIFORNIA, _____ DEC 09 2014

PASSED BY THE FOLLOWING VOTE:

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

NOES- *f0*

ABSENT- *0*

ABSTENTION- *¢*

ATTEST *A+ = |* *= |||| = || = - - - - -*
s
City Clerk and Clerk of the Council
of the City of Oakland, California

DATE OF ATTESTATION. *1* *aj* *1* *2* *1* *+*

2302796.1

Introduction Date

NOV 18 2014

AN ORDINANCE AMENDING ORDINANCE NO. 13254 C.M.S, WHICH, AMONG OTHER THINGS, GRANTED A FRANCHISE FOR RESIDENTIAL RECYCLING COLLECTION SERVICES TO CALIFORNIA WASTE SOLUTIONS, INC., FOR A TERM OF TEN (10) YEARS FROM JULY 1, 2015 THROUGH JUNE 30, 2025, WITH TWO FIVE-YEAR EXTENSION OPTIONS IN 2022 AND 2027, TO CHANGE THE TERM OF THE CONTRACT TO TWENTY (20) YEARS: JULY 1, 2015 THROUGH JUNE 30, 2035, AND MAKE APPROPRIATE FINDINGS REQUIRED BY THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

NOTICE AND DIGEST

The Ordinance changes the term of the exclusive franchise for garbage and organics collection and processing which was awarded to California Waste Solutions, Inc., from ten (10) years to a term of twenty (20) years, beginning July 1, 2015 through June 30, 2035, and makes appropriate findings required by the California Environmental Quality Act.

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2014 NOV -6 AM 11:53