



**DATE:** November 7, 2013  
**TO:** File  
**FROM:** Gary Wolff, Executive Director  
**BY:** Chinwe Omani-Venable, Executive Assistant  
**SUBJECT:** Approval of The Amendment of the JPA Creating The ACWMA

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The Approval of the Amendment to the Joint Exercise of Powers Agreement Creating the Alameda County Waste Management Authority was approved by 2/3 of the member agencies (12 of 17) as of July 30, 2013. The County of Alameda subsequently also approved the amendment. The amendment consisted solely of adding the last two sentences to Section 8.

**Attachments:**  
Executed Member Agency Resolutions



REEL IMAGE

 Approved as to Form  
DONNA R. ZIEGLER, County Counsel

By Brian Washington, Chief Assistant County Counsel

**THE BOARD OF SUPERVISORS OF THE COUNTY OF ALAMEDA,  
STATE OF CALIFORNIA**

On motion of Supervisor Valle  
Seconded by Supervisor Miley

and approved by the following vote:

Ayes: Supervisors: Haggerty, Miley & Valle

Noes: None

Excused or Absent: Supervisor Chan & President Carson

**THE FOLLOWING RESOLUTION WAS ADOPTED SEPTEMBER 17, 2013:  
NUMBER R- 2013 - 350**

**APPROVE AN AMENDMENT OF THE JOINT EXERCISE OF POWERS AGREEMENT  
CREATING THE ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY**

**WHEREAS**, The Alameda County Waste Management Authority (ACWMA) was founded in 1976 and currently operates under a Joint Exercise of Powers Agreement (JPA) most recently revised October 10, 2008, for the purpose of preparing, adopting, revising, amending, administering, implementing and enforcing the Countywide Integrated Waste Management Plan and Alameda County Hazardous Waste Management Plan.

**WHEREAS**, the ACWMA, as part of its Strategic Workplan 2020 (developed collaboratively with the Alameda County Source Reduction and Recycling board) initiated a complete governance review in 2010 which has concluded that a specific amendment to the WMA JPA would promote transparency and efficiency in government, and

**WHEREAS**, Section 8 of the existing ACWMA JPA does not include typical language that states the member agency rules that govern in the event of a conflict between member agency rules.

**WHEREAS** this Board of Supervisors did hold a public hearing on said proposed amendment of the JPA at the hour of 1:00 PM on Tuesday the seventeenth day of September 2013, in the Board Chambers, County Administration Building, 1221 Oak Street, Oakland, for which notice was given as required by law and at which the Board took public testimony;

**NOW THEREFORE,**

**BE IT RESOLVED**, that this Board of Supervisors approves adding the following sentences to the end of Section 8 of the existing WMA JPA: "The manner of exercising powers granted by this Agreement shall be subject to the same restrictions as imposed upon the County of Alameda. If at any time the County of Alameda is not a party to this Agreement, the manner of exercising powers granted by this Agreement shall be subject to the same restrictions as imposed upon the largest city within Alameda County that is a Waste Management Authority member."

**THE FOREGOING** was **PASSED** and **ADOPTED** by a majority vote of the Alameda County Board of Supervisors this 17th day of September, 2013 to wit:

**AYES:** Supervisors: Haggerty, Miley & Valle - 3

**NOES:** None

**EXCUSED:** Supervisor Chan & President Carson - 2

  
\_\_\_\_\_  
PRESIDENT, BOARD OF SUPERVISORS

File: 29018  
Agenda No: 6  
Document No: R-2013-350



I certify that the foregoing is a correct copy of a Resolution adopted by the Board of Supervisors, Alameda County, State of California

ATTEST:  
Clerk  
Board of Supervisors

By: James P. Peltier

CITY OF ALAMEDA RESOLUTION NO. 14792

APPROVE AN AMENDMENT OF THE JOINT EXERCISE OF POWERS AGREEMENT CREATING THE ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY

WHEREAS, the Alameda County Waste Management Authority (ACWMA) was founded in 1976 and currently operates under a Joint Exercise of Powers Agreement (JPA) most recently revised October 10, 2008, for the purpose of preparing, adopting, revising, amending, administering, implementing, and enforcing the Countywide Integrated Waste Management Plan and Alameda County Hazardous Waste Management Plan; and

WHEREAS, the ACWMA, as part of its Strategic Workplan 2020 and developed collaboratively with the Alameda County Source Reduction and Recycling Board, initiated a complete governance review in 2010 which has concluded that a specific amendment to the ACWMA JPA would promote transparency and efficiency in government, and

WHEREAS, Section 8 of the existing ACWMA JPA does not include typical language that states the member agency rules that govern in the event of a conflict between member agency rules.

BE IT RESOLVED, that the City Council of the City of Alameda approves adding the following sentences to the end of Section 8 of the existing ACWMA JPA: "The manner of exercising powers granted by this Agreement shall be subject to the same restrictions as imposed upon the County of Alameda. If at any time the County of Alameda is not a party to this Agreement, the manner of exercising powers granted by this Agreement shall be subject to the same restrictions as imposed upon largest city within Alameda County that is a Waste Management Authority member."

\* \* \* \* \*

Approved as to Form  
Janet C. Kern, City Attorney

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Council of the City of Alameda in a regular meeting assembled on the 16<sup>th</sup> day of April, 2013, by the following vote to-wit:

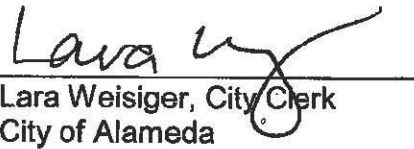
AYES: Councilmembers Chen, Daysog, Ezzy Ashcraft, Tam and Mayor Gilmore – 5.

NOES: None.

ABSENT: None.

ABSTENTIONS: None.

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 17<sup>th</sup> day of April, 2013.

  
Lara Weisiger, City Clerk  
City of Alameda

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**RESOLUTION NO. 2012-83**

**A RESOLUTION OF THE ALBANY CITY COUNCIL APPROVING AN  
AMENDMENT OF THE JOINT EXERCISE OF POWERS AGREEMENT  
CREATING THE ALAMEDA COUNTY WASTE MANAGEMENT  
AUTHORITY**

**WHEREAS**, the Alameda County Waste Management Authority (ACWMA) was founded in 1976 and currently operates under a Joint Exercise of Powers Agreement (JPA) most recently revised October 10, 2008, for the purpose of preparing, adopting, revising, amending, administering, implementing and enforcing the Countywide Integrated Waste Management Plan and Alameda County Hazardous Waste Management Plan; and

**WHEREAS**, the ACWMA, as part of its Strategic Workplan 2020 (developed collaboratively with the Alameda County Source Reduction and Recycling Board) initiated a complete governance review in 2010 which has concluded that a specific amendment to the WMA JPA would promote transparency and efficiency in government; and

**WHEREAS**, Section 8 of the existing WMA JPA does not include typical language that states the member agency rules that govern in the event of a conflict between member agency rules, now, therefore, be it

**NOW THEREFORE, BE IT RESOLVED**, that the City Council of the City of Albany approves adding the following sentences to the end of Section 8 of the existing WMA JPA: "The manner of exercising powers granted by this Agreement shall be subject to the same restrictions as imposed by the County of Alameda. If at any time the County of Alameda is not a party to this Agreement, the manner of exercising powers granted by this Agreement shall be subject to the same restrictions as imposed upon the largest city within Alameda County that is a Waste Management Authority member".

  
MAYOR



# City of Albany

1000 San Pablo Avenue • Albany, California 94706  
(510) 528-5710 • [www.albanyca.org](http://www.albanyca.org)

**RESOLUTION NO. 2012-83**

PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF ALBANY,

The 17th day of December, 2012, by the following votes:

**AYES:** Council Members Atkinson, Barnes, Maass, Vice Mayor Wile & Mayor Thomsen

**NOES:** none

**ABSENT:** none

**ABSTAINED:** none

**RECUSED:** none

WITNESS MY HAND AND THE SEAL OF THE CITY OF ALBANY, this 18th

Day of December, 2012.

Eileen Harrington  
DEPUTY CITY CLERK

*The City of Albany is dedicated to maintaining its small town ambiance, responding to the needs of a diverse community, and providing a safe, healthy and sustainable community.*



**RESOLUTION NO. 3292**

**RESOLUTION OF THE DISTRICT BOARD OF THE CASTRO VALLEY  
SANITARY DISTRICT, ALAMEDA COUNTY, STATE OF CALIFORNIA  
APPROVING AN AMENDMENT OF THE  
JOINT EXERCISE OF POWERS AGREEMENT CREATING THE  
ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY**

**WHEREAS**, the Alameda County Waste Management Authority (ACWMA) was founded in 1976 and currently operates under a Joint Exercise of Powers Agreement (JPA) most recently revised October 10, 2008, for the purpose of preparing, adopting, revising, amending, administering, implementing and enforcing the Countywide Integrated Waste Management and Alameda County Hazardous Waste Management Plan; and,

**WHEREAS**, the ACWMA, as part of its Strategic Workplan 2020 (developed collaboratively with the Alameda County Source Reduction and Recycling Board) initiated a complete governance review in 2010 which has concluded that a specific amendment to the WMA JPA would promote transparency and efficiency in government; and,

**WHEREAS**, Section 8 of the existing WMA JPA does not include typical language that states the member agency rules that govern in the event of a conflict between member agency rules.

**NOW, THEREFORE BE IT RESOLVED**, that the Castro Valley Sanitary District Board of Directors approves adding the following sentences to the end of Section 8 of the existing WMA JPA: "The manner of exercising powers granted by this Agreement shall be subject to the same restrictions as imposed upon the County of Alameda. If at any time the County of Alameda is not a party to this Agreement, the manner of exercising powers granted by this Agreement shall be subject to the same restrictions as imposed upon the largest city within Alameda County that is a Waste Management Authority member".

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I hereby certify that the foregoing Resolution No. 3292 was adopted by the District Board of the Castro Valley Sanitary District at a regular meeting thereof held on the 8<sup>th</sup> day of January 2013, by the following vote:

**AYES:** DIRECTORS Akagi, Appleton, Johnson, McGowan and Sadoff

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

  
\_\_\_\_\_  
Dave Sadoff,  
Secretary of the Sanitary Board

**APPROVED:**

  
\_\_\_\_\_  
Timothy McGowan,  
President of the Sanitary Board

**RESOLUTION NO. 12-211**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EMERYVILLE  
APPROVING AN AMENDMENT OF THE JOINT EXERCISE OF POWERS  
AGREEMENT CREATING THE ALAMEDA COUNTY WASTE MANAGEMENT  
AUTHORITY**

**WHEREAS**, the Alameda County Waste Management Authority (ACWMA) was founded in 1976 and currently operates under a Joint Exercise of Powers Agreement (JPA) most recently revised October 10, 2008, for the purpose of preparing, adopting, revising, amending, administering, implementing and enforcing the Countywide Integrated Waste Management Plan and Alameda County Hazardous Waste Management Plan; and

**WHEREAS**, the ACWMA, as part of its Strategic Workplan 2020 (developed collaboratively with the Alameda County Source Reduction and Recycling Board) initiated a complete governance review in 2010 which has concluded that a specific amendment to the WMA JPA would promote transparency and efficiency in government; and

**WHEREAS**, Section 8 of the existing WMA JPA does not include typical language that states the member agency rules that govern in the event of a conflict between member agency rules, now, therefore, be it

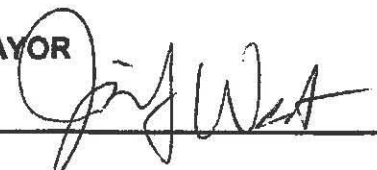
**RESOLVED** that the City Council of the City of Emeryville approves adding the following sentences to the end of Section 8 of the existing WMA JPA: "The manner of exercising powers granted by this Agreement shall be subject to the same restrictions as imposed by the County of Alameda. If at any time the County of Alameda is not a party to this Agreement, the manner of exercising powers granted by this Agreement shall be subject to the same restrictions as imposed upon the largest city within Alameda County that is a Waste Management Authority member".

**ADOPTED** by the City Council of the City of Emeryville at a regular meeting held on Tuesday, November 20, 2012.

**ATTEST:**

  
\_\_\_\_\_  
**CITY CLERK**

**MAYOR**

  
\_\_\_\_\_

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
**CITY ATTORNEY**

**RESOLUTION NO. 2013-13**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREMONT  
APPROVING AN AMENDMENT OF THE JOINT EXERCISE OF POWERS  
AGREEMENT CREATING THE ALAMEDA COUNTY WASTE  
MANAGEMENT AUTHORITY**

WHEREAS, The Alameda County Waste Management Authority (ACWMA) was founded in 1976 and currently operates under a Joint Exercise of Powers Agreement (JPA) most recently revised October 10, 2008, for the purpose of preparing, adopting, revising, amending, administering, implementing and enforcing the Countywide Integrated Waste Management Plan and Alameda County Hazardous Waste Management Plan; and

WHEREAS, the ACWMA, as part of its Strategic Workplan 2020 (developed collaboratively with the Alameda County Source Reduction and Recycling board) initiated a complete governance review in 2010 which has concluded that a specific amendment to the WMA JPA would promote transparency and efficiency in government, and

WHEREAS, Section 8 of the existing WMA JPA does not include typical language that states the member agency rules that govern in the event of a conflict between member agency rules.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Fremont approves adding the following sentences to the end of Section 8 of the existing WMA JPA: "The manner of exercising powers granted by this Agreement shall be subject to the same restrictions as imposed upon the County of Alameda. If at any time the County of Alameda is not a party to this Agreement, the manner of exercising powers granted by this Agreement shall be subject to the same restrictions as imposed upon the largest city within Alameda County that is a Waste Management Authority member."

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ADOPTED, April 2, 2013, by the City Council of the City of Fremont by the following vote, to wit:

AYES: Mayor Harrison, Vice Mayor Natarajan, Councilmembers Chan, Bacon and Salwan

NOES: None


ABSENT: None

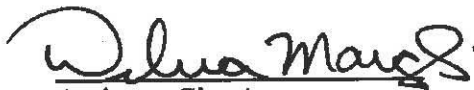
ABSTAIN: None

  
Mayor

ATTEST:

APPROVED AS TO FORM:

  
City Clerk

  
Assistant City Attorney

HAYWARD CITY COUNCIL

RESOLUTION NO. 13-132

Introduced by Council Member Peixoto

RESOLUTION APPROVING AN AMENDMENT TO THE  
JOINT EXERCISE OF POWERS AGREEMENT CREATING  
THE ALAMEDA COUNTY WASTE MANAGEMENT  
AUTHORITY

WHEREAS, the Alameda County Waste Management Authority (Authority) was founded in 1976 and currently operates under a Joint Exercise of Powers Agreement (JPA) most recently revised October 10, 2008, for the purpose of preparing, adopting, revising, amending, administering, implementing and enforcing the Countywide Integrated Waste Management Plan and Alameda County Hazardous Waste Management Plan,

WHEREAS, the Authority, as part of its Strategic Workplan 2020 (developed collaboratively with the Alameda County Source Reduction and Recycling Board) initiated a complete governance review in 2010 which has concluded that a specific amendment to the Authority JPA would promote transparency and efficiency in government; and

WHEREAS, Section 8 of the existing Authority JPA does not include typical language that states the member agency rules that govern in the event of a conflict between member agency rules.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward approves adding the following sentences to the end of Section 8 of the existing Authority JPA: "The manner of exercising powers granted by this Agreement shall be subject to the same restrictions as imposed upon the County of Alameda. If at any time the County of Alameda is not a party to this Agreement, the manner of exercising powers granted by this Agreement shall be subject to the same restrictions as imposed upon the largest city within Alameda County that is a Waste Management Authority member"

IN COUNCIL, HAYWARD, CALIFORNIA July 30, 2013

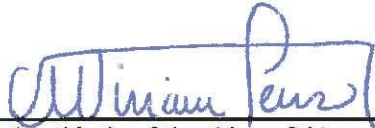
ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS: Jones, Halliday, Peixoto, Salinas, Mendall  
MAYOR: Sweeney

NOES: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: Zermefio

ATTEST:   
City Clerk of the City of Hayward

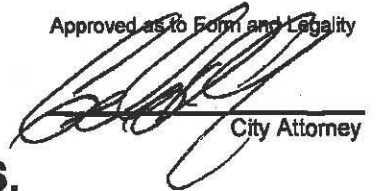
APPROVED AS TO FORM:

  
City Attorney of the City of Hayward

OFFICE OF THE CITY CLERK  
OAKLAND

**OAKLAND CITY COUNCIL**

**RESOLUTION No. 84203 C.M.S.**  
2013 JAN 17 AM 9:51

  
City Attorney

**RESOLUTION APPROVING AN AMENDMENT OF THE JOINT EXERCISE OF POWERS AGREEMENT CREATING THE ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY**

**WHEREAS**, the Alameda County Waste Management Authority (ACWMA) was founded in 1976 and currently operates under a Joint Exercise of Powers Agreement (JPA) most recently revised October 10, 2008, for the purpose of preparing, adopting, revising, amending, administering, implementing and enforcing the Countywide Integrated Waste Management Plan and Alameda County Hazardous Waste Management Plan; and

**WHEREAS**, the ACWMA, as part of its Strategic Workplan 2020 (developed collaboratively with the Alameda County Source Reduction and Recycling Board) initiated a complete governance review in 2010 which has concluded that a specific amendment to the WMA JPA would promote transparency and efficiency in government; and

**WHEREAS**, Section 8 of the existing ACWMA JPA does not include typical language that states the member agency rules that govern in the event of a conflict between member agency rules; now, therefore be it

**RESOLVED**, that the City Council approves adding the following sentences to the end of Section 8 of the existing ACWMA JPA: "The manner of exercising powers granted by this Agreement shall be subject to the same restrictions as imposed by the County of Alameda. If at any time the County of Alameda is not a party to this Agreement, the manner of exercising powers granted by this Agreement shall be subject to the same restrictions as imposed upon the largest city within Alameda County that is a Waste Management Authority member".

IN COUNCIL, OAKLAND, CALIFORNIA, FEB 5 2013

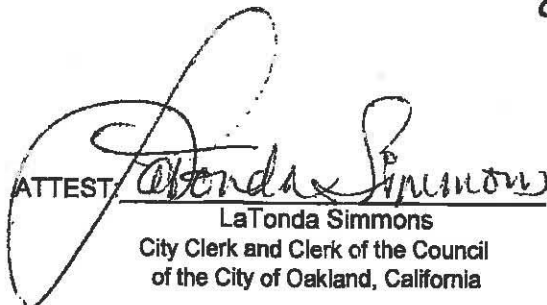
**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, GALLO, KALB, KAPLAN, McELHANEY, REID, SCHAAF and PRESIDENT KERNIGHAN - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

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

Date of Attestation: \_\_\_\_\_



**Resolution No. 3568**

**A RESOLUTION APPROVING AN AMENDMENT OF THE  
JOINT EXERCISE OF POWERS AGREEMENT CREATING THE  
ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY**

**WHEREAS**, the Alameda County Waste Management Authority (ACWMA) was founded in 1976 and currently operates under a Joint Exercise of Powers Agreement (JPA) most recently revised October 10, 2008, for the purpose of preparing, adopting, revising, amending, administering, implementing and enforcing the Countywide Integrated Waste Management Plan and Alameda County Hazardous Waste Management Plan; and

**WHEREAS**, the ACWMA, as part of its Strategic Workplan 2020 (developed collaboratively with the Alameda County Source Reduction and Recycling Board) initiated a complete governance review in 2010 which has concluded that a specific amendment to the WMA JPA would promote transparency and efficiency in government; and,

**WHEREAS**, Section 8 of the existing WMA JPA does not include typical language that states the member agency rules that govern in the event of a conflict between member agency rules.

**NOW, THEREFORE, BE IT RESOLVED**, that Oro Loma Sanitary District approves adding the following sentences to the end of Section 8 of the existing WMA JPA:

“The manner of exercising powers granted by this Agreement shall be subject to the same restrictions as imposed upon the County of Alameda. If at any time the County of Alameda is not a party to this Agreement, the manner of exercising powers granted by this Agreement shall be subject to the same restrictions as imposed upon the largest city within Alameda County that is a Waste Management Authority member.”



I certify that the foregoing is a full, true and correct copy of a resolution duly and regularly adopted by the Sanitary Board of Oro Loma Sanitary District, Alameda County, California, at a meeting thereof held on the 20<sup>th</sup> day of November, 2012, by the following vote of the members thereof:

AYES, Members:     Dias, Kerr, Landis

NOES, Members:     Becker, Sidari

ABSENT, Members:

  
Howard W. Kerr, President

COUNTERSIGNED:

  
Roland J. Dias, Secretary

RESOLUTION NO. 10,042

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
NEWARK APPROVING AN AMENDMENT TO SECTION 8  
OF THE JOINT EXERCISE POWERS AGREEMENT THAT  
CREATED THE ALAMEDA COUNTY WASTE  
MANAGEMENT AUTHORITY TO CLARIFY RULES IN THE  
EVENT OF A CONFLICT BETWEEN MEMBER AGENCY  
RULES

WHEREAS the Alameda County Waste Management Authority (ACWMA) was founded in 1976 and currently operates under a Joint Exercise of Powers Agreement (JPA) most recently revised October 10, 2008, for the purpose of preparing, adopting, revising, amending, administering, implementing and enforcing the Countywide Integrated Waste Management Plan and Alameda County Hazardous Waste Management Plan; and

WHEREAS the ACWMA, as part of its Strategic Workplan 2020 (developed collaboratively with the Alameda County Source Reduction and Recycling Board) initiated a complete governance review in 2010 which has concluded that a specific amendment to the WMA JPA would promote transparency and efficiency in government, and;

WHEREAS Section 8 of the existing WMA JPA does not include typical language that states the member agency rules that govern in the event of a conflict between member agency rules; and

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Newark approves adding the following sentences to the end of Section 8 of the existing WMA JPA: "The manner of exercising powers granted by this Agreement shall be subject to the same restrictions as imposed upon the County of Alameda. If at any time the County of Alameda is not a party to this Agreement, the manner of exercising powers granted by this Agreement shall be subject to the same restrictions as imposed upon the largest city within Alameda County that is a Waste Management Authority member."

I HEREBY CERTIFY the foregoing resolution was introduced at a regular meeting of the City Council of the City of Newark held on December 13, 2012, by Council Member Collazo, who moved its adoption and passage, which motion was carried after being duly seconded, and passed by the following vote:


AYES: Council Members Freitas, Collazo, Vice Mayor Apodaca, and Mayor Nagy

NOES: None


ABSENT: Council Member Marshall

SECONDED: Vice Mayor Apodaca


APPROVED:

  
s/ALAN L. NAGY  
Mayor

ATTEST:

  
s/SHEILA HARRINGTON  
City Clerk

APPROVED AS TO FORM:

  
s/DAVID J. BENOON  
City Attorney



IN THE CITY COUNCIL OF THE CITY OF SAN LEANDRO

**RESOLUTION NO. 2013-028**

**RESOLUTION APPROVING AN AMENDMENT OF THE  
JOINT EXERCISE OF POWERS AGREEMENT CREATING THE  
ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY**

WHEREAS, the Alameda County Waste Management Authority (ACWMA) was founded in 1976 and currently operates under a Joint Exercise of Powers Agreement (JPA) most recently revised October 10, 2008, for the purpose of preparing, adopting, revising, amending, administering, implementing and enforcing the Countywide Integrated Waste Management Plan and Alameda County Hazardous Waste Management Plan; and

WHEREAS, the ACWMA, as part of its Strategic Workplan 2020 (developed collaboratively with the Alameda County Source Reduction and Recycling board) initiated a complete governance review in 2010 which has concluded that a specific amendment to the WMA JPA would promote transparency and efficiency in government, and

WHEREAS, Section 8 of the existing WMA JPA does not include typical language that states the member agency rules that govern in the event of a conflict between member agency rules.

NOW, THEREFORE, the City Council of the City of San Leandro does RESOLVE as follows:

That adding the following sentences to the end of Section 8 of the existing WMA JPA is hereby approved: "The manner of exercising powers granted by this Agreement shall be subject to the same restrictions as imposed upon the County of Alameda. If at any time the County of Alameda is not a party to this Agreement, the manner of exercising powers granted by this Agreement shall be subject to the same restrictions as imposed upon the largest city within Alameda County that is a Waste Management Authority member."

Introduced by Councilmember Reed and passed and adopted this 4th day of March, 2013, by the following vote:

Members of the Council:

AYES: Councilmembers Cutter, Gregory, Lee, Prola, Reed, Souza; Mayor Cassidy (7)

NOES: None (0)

ABSENT: None (0)

ATTEST: Marian Handa  
Marian Handa, City Clerk



**RESOLUTION NO. 4389-12**

**A RESOLUTION APPROVING AN AMENDMENT OF  
THE JOINT EXERCISE OF POWERS AGREEMENT  
CREATING THE ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY**

**WHEREAS**, The Alameda County Waste Management Authority ("ACWMA") was founded in 1976 and currently operates under a Joint Exercise of Powers Agreement ("JPA") most recently revised October 10, 2008, for the purpose of preparing, adopting, revising, amending, administering, implementing, and enforcing the Countywide Integrated Waste Management Plan and Alameda County Hazardous Waste Management Plan; and

**WHEREAS**, the ACWMA, as part of its Strategic Workplan 2020, developed collaboratively with the Alameda County Source Reduction and Recycling Board, initiated a complete governance review in 2010 which has concluded that a specific amendment to the ACWMA JPA would promote transparency and efficiency in government; and

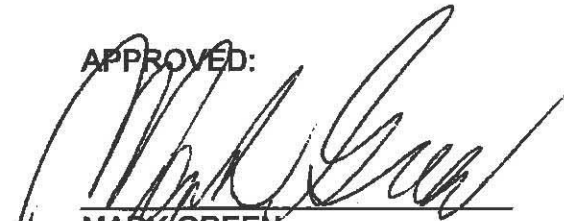
**WHEREAS**, Section 8 of the existing ACWMA JPA does not include typical language that states the member agency rules that govern in the event of a conflict between member agency rules.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Union City hereby approves, adding the following sentences to the end of Section 8 of the existing Joint Exercise of Powers Agreement of the Alameda County Waste Management Authority: "The manner of exercising powers granted by this Agreement shall be subject to the same restrictions as imposed upon the County of Alameda. If at any time the County of Alameda is not a party to this Agreement, the manner of exercising powers granted by this Agreement shall be subject to the same restrictions as imposed upon the largest city within Alameda County that is a Waste Management Authority member."

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Union City at a regular meeting held on the 27<sup>th</sup> day of November 2012, by the following vote:

**AYES:** Councilmembers Duncan, Ellis, and Navarro, Vice Mayor Gacoscos, Mayor Green  
**NOES:** None  
**ABSENT:** None  
**ABSTAIN:** None

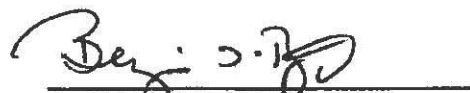
**APPROVED:**

  
\_\_\_\_\_  
**MARK GREEN**  
Mayor

**ATTEST:**

  
\_\_\_\_\_  
**RENEE ELLIOTT**  
City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
**BENJAMIN T. REYES II**  
City Attorney

