

FILED
OFFICE OF THE CITY CLERK
OAKLAND

APPROVED AS TO FORM AND LEGALITY

[Signature]
CITY ATTORNEY

12524

2003 JUL 31 PM 1:29

**AMENDMENT TO ORDINANCE NO. 11820 C.M.S.
INCREASING RATES CHARGED FOR SOLID WASTE COLLECTION
AND DISPOSAL BY \$1.25 PER TON FOR THE PERIOD BEGINNING
JULY 1, 2003, AND \$1.00 PER TON FOR THE PERIOD JANUARY 1,
2002 TO JULY 1, 2003**

WHEREAS, the City has compromised and settled the threatened case of Waste Management of Alameda County v. City of Oakland by entering into a settlement agreement setting forth the terms of this ordinance; and

WHEREAS, the Section 8.28.020 of the Oakland Municipal Code allows the City Council to adjust the Rates for Non-Consumer Price Index in the exercise of its legislative discretion; and

WHEREAS, the East Bay Regional Park District has agreed to improve the Bay Trail along the Tidewater;

WHEREAS, the Waste Management of Alameda County will increase pick ups around schools in each of the City Council districts;

WHEREAS, this Ordinance has been duly processed with proper public notice; and

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

SECTION 1

- (1) For the period beginning July 1, 2003, WMAC rate payers in the City of Oakland will pay the \$1.25 per ton fee required by Alameda County Conditional Use Permit 5512;
- (2) For the period beginning January 1, 2002 and ending July 1, 2003, WMAC ratepayers in the City of Oakland will pay the \$1.00 per ton portion of the county mandated \$1.25 per ton fee. Payment of this sum will be amortized, without any interest charges, over the remaining balance of WMAC's residential refuse franchise agreement with the City of Oakland.
- (3) The Director of Public Works or her designee shall calculate and file a copy of the adjusted rates in the Office of the City Clerk.

SECTION 2

This Amendment will take effect immediately upon its adoption by the City Council.

Introduction Date:

IN COUNCIL, OAKLAND, CALIFORNIA

JUL 29 2003

JUL 15 2003

PASSED BY THE FOLLOWING VOTE:

**BROOKS, BRUNNER, CHANG,
NADEL, REID, QUAN, WAN**

AND PRESIDENT DE LA FUENTE

[Signature]
City Clerk