



**CITY OF HAYWARD  
DEPARTMENT OF PUBLIC WORKS  
UTILITIES AND ENVIRONMENTAL SERVICES  
MEMORANDUM**

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**DATE:** November 5, 2013  
**TO:** Mayor and City Council  
**THROUGH:** Fran David, City Manager  
**FROM:** Alex Ameri; Director of Public Works – Utilities & Environmental Services  
**SUBJECT:** Item #9 - Attachment IV - Resolution to Opt Out of Phase 2 of the Mandatory Recycling Ordinance Authored by the Alameda County Waste Management Authority

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The attached Resolution replaces Attachment IV to the *Update on Status of Exclusive Negotiating Period with Waste Management of Alameda County*. The revised Resolution is corrected to indicate that Council is opting out of coverage of Phase II of the Waste Management Authority's Ordinance related to recycling and organics collection from businesses and multi-family developments.

HAYWARD CITY COUNCIL

RESOLUTION NO. 13-

Introduced by Council Member

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAYWARD OPTING OUT OF PHASE 2 OF THE ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY'S ORDINANCE NO. 2012-1, REGARDING THE IMPLEMENTATION OF ORGANICS COLLECTION AT MULTI-FAMILY DEVELOPMENTS AND REGULATING RECYCLING BY BUSINESSES, MULTI-FAMILY RESIDENCES AND SELF-HAULERS

WHEREAS, on January 25, 2012, the Alameda County Waste Management Authority (ACWMA) Board adopted Ordinance No. 2012-1 to regulate recycling by businesses, multi-family residences and self-haulers; and

WHEREAS, on February 28, 2012, the City Council of the City of Hayward adopted Resolution No. 12-025 opting to participate in Phase 1 of said Alameda County Waste Management Authority's Ordinance No. 2012-1; and

WHEREAS, Phase 2 of the Ordinance would require implementation of organics collection for all multi-family properties beginning July 1, 2014; and

WHEREAS, the Ordinance allows each municipality in Alameda County to opt out of participation in Phase 2 of said Ordinance by January 1, 2014; and

WHEREAS, by opting out of Phase 2 of said Ordinance in no way affects the City's continuing participation in Phase 1 of said Ordinance; and

WHEREAS, after negotiations for new waste and recycling services are completed, the City Council will hold a public hearing to consider implementation of Phase 2.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward hereby opts out of Phase 2 of Alameda County Waste Management Authority's Ordinance No. 2012-1. The City of Hayward will continue implementation of Phase 1.

