

RESOLUTION NO. 18-XXX

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CUPERTINO
AUTHORIZING AN AGREEMENT WITH SANTA CLARA COUNTY FOR
COUNTYWIDE AB 939 IMPLEMENTATION FEE FOR FY's 2019-2021**

WHEREAS, the countywide AB 939 Implementation Fee (Fee) was established in 1992 to assist and provide funding to the fifteen cities and the unincorporated areas of Santa Clara County to cover the costs of preparing, adopting, and implementing an integrated waste management plan, pursuant to a master agreement with the County; and

WHEREAS, the Recycling and Waste Reduction Commission of Santa Clara County has determined the Fee should remain at \$4.10 per ton for Fiscal Years 2019, 2020, and 2021 for the three-year term of the new Agreement, July 1, 2018 to June 30, 2021. The Fee will be imposed on each ton of waste landfilled or incinerated within the County or generated within the County and subsequently transported to non-disposal facilities or collection facilities located outside the County; and

WHEREAS, the proposed Agreement affirms the applicable Fee, provides for the County to administer the program, and establishes the terms and conditions under which County will collect and distribute the Fee for the three-year term to each of the participating jurisdictions; and

WHEREAS, the Director of Public Works recommends approval of the new Agreement for Countywide AB939 Implementation Fee for FY's 2019-2021, as it may be amended from time to time; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Cupertino hereby adopts this resolution approving the "Agreement for the Countywide AB 939 Implementation Fee for FY's 2019-2021" and authorizes the City Manager or his designee to take all necessary steps to execute and implement said Agreement, consistent with this resolution, the accompanying council report, and subject to the City Attorney's approval as to form.

PASSED AND ADOPTED at a regular adjourned meeting of the City Council of the City of Cupertino this 1st day of May, 2018, by the following vote:

<u>Vote</u>	<u>Members of the City Council</u>
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AYES:	
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NOES:	
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ABSENT:	
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ABSTAIN:	
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ATTEST:

APPROVED:

Grace Schmidt, City Clerk

Darcy Paul, Mayor