



## City of Alameda, California

December , 2021

Timothy Burroughs, Executive Director  
Alameda County Waste Management Authority  
1537 Webster Street  
Oakland, CA 94612

Dear Timothy:

By the attached Ordinance No. 3310, the City Council of the City of Alameda ("City") has authorized and designated the Alameda County Waste Management Authority (WMA) to carry out various responsibilities in connection with the City's compliance with the SB 1383 Regulations (Chapter 12 of Title 14, Division 7 of the California Code of Regulations (CCR)) and Alameda Municipal Code Sections 21-2.9, 21-2.10, 21-2.11, 21-2.12, 21-2.13, 21-4, 21-23.14(b), 21-30.1, and 21-30.2. If the WMA agrees to accept that authority and designation pursuant to the terms below, please sign a copy of this letter and return it to me.

The WMA shall perform the following tasks on behalf of the City to support the City's implementation of these SB 1383 Regulations' requirements:

1. **Education and Outreach:** WMA will create initial template materials to support the City's compliance with the requirements listed in 14 CCR, Division 7, Chapter 12, Article 4 of the SB 1383 Regulations. WMA will develop printable leave-behind flyers that provide an overview of the rules, as well as template bill inserts, outreach letters, sample countywide bin decals, articles and website content for the City to disseminate if desired. Additionally pursuant to Article 4, prior to February 1, 2022, on behalf of the City, WMA will notify commercial organic waste generators (including multifamily properties) and commercial edible food generators of the SB 1383/ORRO requirements.
2. **Lack of Service Enforcement and Waiver Processing:** WMA will support the City on the enforcement of recycling and organics collection service and waiver processing for commercial and multifamily properties.
3. **Edible Food Recovery Capacity:** Estimate the amount of edible food disposed of by Tier 1 and Tier 2 commercial edible food generators and identify existing and new or expanded capacity needed at food recovery organizations located within the City of Alameda to recover edible food disposed of by Tier 1 and Tier 2 generators.
4. **Commercial Edible Food Generator Compliance Monitoring:** If City has an MOU with the Alameda County Department of Environmental Health (ACDEH), WMA will coordinate between ACDEH and the City on compliance monitoring for Retail Food Facilities. WMA

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will conduct monitoring of wholesale food vendors and food distributors that are not also permitted by ACDEH. WMA will also assist with enforcement for non-compliance starting in 2024.

5. Procurement: WMA is investigating opportunities for procurement projects for later adoption by interested Member Agencies. It is seeking to structure the projects in a manner that will allow each member agency to obtain procurement credit for a share of qualifying recovered organic waste products procured by the WMA. Shares will be allocated based on population. WMA will provide additional information on these projects as it becomes available.
6. Recordkeeping: Provide City with records of activities conducted by WMA in the City, to be included in its Implementation Record and CalRecycle annual reports.

The City understands that the WMA's acceptance of the City's authorization and performance of the tasks above is conditioned on the following:

1. The City will cooperate in good faith with the WMA in administering implementation of the SB 1383 Regulations. This may include cooperating on the development of processes for implementation activities, distribution of educational materials, and data exchange.
2. The City acknowledges that in accordance with section 18981.2 (c) of the SB 1383 Regulations the City remains ultimately responsible for compliance with the requirements of the SB1383 Regulations and that the WMA assumes none of that responsibility.
3. The City or WMA may terminate this agreement upon 90 days' notice in writing to the other party, at which time the parties may consider negotiation of a new agreement.
4. The primary representatives of the parties for administration of this agreement are:

	City	WMA
Primary Representative:	Erin Smith Public Works Director	Rachel Balsley Senior Program Manager
Address:	950 W Mall Square Alameda, CA 94501	1537 Webster Street Oakland, CA 94612
Telephone:	(510) 747-7930	(510) 891-6524
E-mail:	<a href="mailto:esmith@alamedaca.gov">esmith@alamedaca.gov</a>	<a href="mailto:rbalsley@stopwaste.org">rbalsley@stopwaste.org</a>

The names and contact information of primary representative may be updated by notice from a party to the other party. All communications by a party to another party shall be in writing and

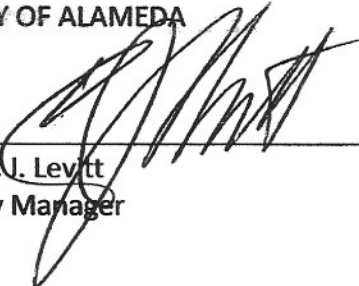
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shall be effective upon (i) receipt of an e-mail confirming receipt of the initial communication if sent by e-mail, (ii) personal delivery or by express delivery or courier to the address set forth above, or (ii) when deposited in the U.S. Mail, first class, registered or certified mail, return receipt requested, to the address set forth above.

We look forward to working with the WMA on this important undertaking.


CITY OF ALAMEDA

  
Eric J. Levitt  
City Manager

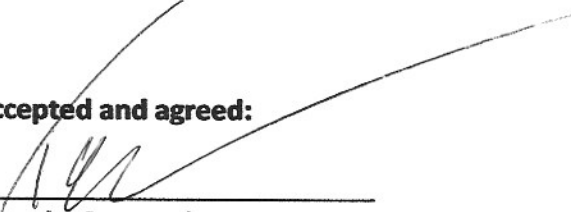
Recommended for signature:

DocuSigned by:  
  
Erin Smith  
Public Works Director

Approved as to form:

DocuSigned by:  
  
Elizabeth Mackenzie  
Chief Assistant City Attorney

Accepted and agreed:

  
Timothy Burroughs, Executive Director  
Alameda County Waste Management Authority

  
Date