

**RESOLUTION NO. 73878**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE  
AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND  
EXECUTE A WASTE REDUCTION AND RECYCLING  
COOPERATION AGREEMENT WITH SAN JOSE UNIFIED  
SCHOOL DISTRICT**

**WHEREAS**, the City and San José Unified School District desire to enter into an agreement to promote waste diversion at schools and other facilities of the District that are located in San José; and

**WHEREAS**, as part of the agreement, the City will reimburse the District for that portion of the District's costs for solid waste handling services that are attributable to the franchise fees paid to the City by the District's solid waste services provider;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF  
SAN JOSE:**

- A. The City Manager, or the City Manager's designee, is hereby authorized to negotiate and execute a Waste Reduction and Recycling Cooperation Agreement with San José Unified School District (the "District") for an initial term from July 1, 2007, to June 30, 2009, and containing at least the following terms:
1. The District will adopt a waste diversion policy that applies to each of the District's schools and other facilities that are located in San José, and will provide a copy of the policy to City; this policy will prioritize waste diversion activities and establish waste diversion goals for District's schools and other facilities located in San José.
  2. The District will subscribe to solid waste collection services with an entity that has a valid Commercial Solid Waste and Recyclables Collection Franchise granted by the City; the District will provide City a list of District's schools and other facilities located in San José and the solid waste and recyclables collection services provided to each school and each other facility and will notify the City of any changes in solid waste or recycling service levels provided to such schools and facilities.
  3. The District will encourage its schools in San José to participate, as appropriate, in City's Go Green Schools Program to promote environmental stewardship and awareness within the school community.
  4. The City will provide technical assistance to the District with respect to solid waste management practices.
  5. The City will reimburse the District for that portion of the District's costs for solid waste handling services that are attributable to the franchise fees paid to the City by the District's solid waste services provider. The District will

submit to the City information necessary for City to verify the reimbursement due to the District.

- B. The Director of Environmental Services is authorized to exercise up to three options for one-year extensions of the term of the Waste Reduction and Recycling Cooperation Agreement.

ADOPTED this 19<sup>th</sup> day of June, 2007, by the following vote:

AYES: CAMPOS, CHIRCO, CHU, CONSTANT, CORTESE,  
LICCARDO, NGUYEN, OLIVERIO, PYLE, WILLIAMS;  
REED

NOES: NONE

ABSENT: NONE

DISQUALIFIED: NONE

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CHUCK REED  
Mayor

ATTEST:

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LEE PRICE, MMC  
City Clerk