

**RESOLUTION NO. 2006-157**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE APPROVING THE ASSIGNMENT OF THE FRANCHISE AGREEMENT BETWEEN THE CITY OF ELK GROVE AND ALLIED WASTE SERVICES OF NORTH AMERICA, INC. FOR RESIDENTIAL REFUSE COLLECTION AND TRANSPORTATION TO DISPOSAL FACILITIES AND RECYCLABLES AND GREEN WASTE COLLECTION, TRANSPORTATION, PROCESSING AND MARKETING, AND THE THIRD AMENDMENT TO THAT FRANCHISE AGREEMENT**

**WHEREAS**, the City Council of the City of Elk Grove approved a Franchise Agreement with BFI Waste Systems of North American, Inc. for the collection, transport and disposal of residential trash and the collection, transportation, processing and marketing of recyclables and green waste, and

**WHEREAS**, the Franchise Agreement requires that the City approve any defined "Assignment" of the Franchise Agreement by the contractor/franchisee, BFI Waste Systems of North American, Inc.

**WHEREAS**, BFI Waste Systems of North American, Inc. has asked the City to approve the "Assignment" to its affiliate, Allied Waste Services of North America, LLC

**WHEREAS**, the City has prepared an Assignment Consent that approves the "Assignment" if Allied Waste Industries, Inc. executes a guaranty of Allied Waste Services of North America, LLC's performance under the Franchise Agreement, and Allied Waste Services of North America, LLC reimburses City for costs that the City incurred in connection with the assignment and submits specified documentation to the City; and

**WHEREAS**, Allied Waste Industries, Inc. has executed that guaranty; and

**WHEREAS**, the Third Amendment to the Franchise Agreement authorizes new residential cart walk-out service and clarifies the protocol for calculating indexed adjustments of the rates.


**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Elk Grove hereby authorizes and directs the execution of the Assignment Consent described in the preambles above following satisfaction by Allied Waste Industries, Inc. and its subsidiaries of the preconditions provided in the Assignment Consent.

**BE IT FURTHER RESOLVED** that the City Council of the City of Elk Grove hereby authorizes and directs the execution of the Third Amendment to the Franchise Agreement described in the preambles above following execution of the Assignment Consent.

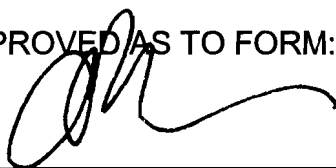
**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 14th day of June 2006.

  
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RICK SOARES, MAYOR of the  
CITY OF ELK GROVE

ATTEST:

  
\_\_\_\_\_  
PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:

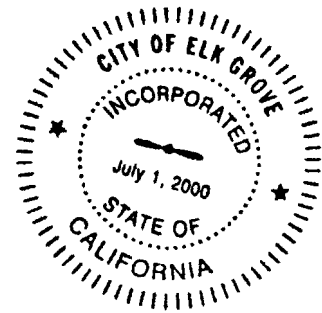
  
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ANTHONY B. MANZANETTI,  
CITY ATTORNEY


**CERTIFICATION  
ELK GROVE CITY COUNCIL RESOLUTION NO. 2006-157**

**STATE OF CALIFORNIA            )**  
**COUNTY OF SACRAMENTO        )**     **ss**  
**CITY OF ELK GROVE             )**

***I, Peggy E. Jackson, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on June 14, 2006 by the following vote:***

**AYES 4 :    COUNCILMEMBERS:    Soares, Scherman, Cooper, Leary**  
**NOES :     COUNCILMEMBERS:    None**  
**ABSTAIN :  COUNCILMEMBERS:   None**  
**ABSENT:    COUNCILMEMBERS:   Briggs**



  
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**Peggy E. Jackson, City Clerk  
City of Elk Grove, California**