

RESOLUTION NO. 2017-082

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE AUTHORIZING THE CITY MANAGER TO EXECUTE A FRANCHISE AGREEMENT WITH ALLIED WASTE SERVICES OF NORTH AMERICA, LLC ENTITLED SOLID WASTE COLLECTION SERVICES FRANCHISE AGREEMENT

WHEREAS, in 2010, the City of Elk Grove ("City") entered into the current Franchise and Disposal Agreement with Allied Waste Services of North America, LLC ("Allied") which is set to expire on June 30, 2018; and

WHEREAS, on January 5, 2017, Allied submitted an application to enter into a new Franchise Agreement that would allow it to continue providing residential solid waste and recycling collection services; and

WHEREAS, on March 22, 2017, the City reviewed and approved a resolution of intent to award a new Franchise Agreement to Allied; and

WHEREAS, a duly noticed public hearing was held on April 12, 2017 whereby the Council considered Allied's ability to carry out the proposed services, its financial and business experience and standing, and other pertinent factors including the public interest; and

WHEREAS, during the public hearing, the Council heard the application and the comments of interested persons; and

WHEREAS, following the conclusion of the hearing, Council decided that the Agreement shall be granted because it is in the best interest of the public; and **WHEREAS**, the new Franchise Agreement with Allied Waste includes the continuation of existing programs and the implementation of new programs including but not limited to:

- Utility Billing services
- Curbside battery collection;
- Online/Mail-in program for sharps collection;
- Scholarship program for graduation Elk Grove High School Seniors;
- Deceased, non-domesticated, animal collection;
- Three (3) bulky waste appointment based pick-ups per property, per year;
- Four (4) annual clean-up events;
- Improved reporting metrics and processes; and
- A term length of seven (7) years with an optional three (3) year extension.

WHEREAS, the specific procedures related to utility billing, such as frequency, late fees, and similar will be detailed within a companion document entitled "Billing Procedures Plan"; and

WHEREAS, the Agreement includes as Exhibit L the detailed list of Solid Waste Rates applicable upon the Commencement Date of the Agreement; and

WHEREAS, the Solid Waste rates applicable upon the Commencement Date shall be based upon the Rates set for Fiscal Year 2017-18 and said rates shall not be known until adopted by Council in June for 2017; and

WHEREAS, upon adoption of the Solid Waste Rates for Fiscal Year 2017-18; said rates shall be added to the Agreement as an addendum.

NOW, THEREFORE, BE IT RESOLVED that the City Manager is hereby authorized to execute the Solid Waste Collection Services Franchise Agreement and the Billing Procedures Plan, including subsequent modifications, with Allied Waste Services of North America, LLC to commence on July 1, 2018 in substantially the form presented to the City Council.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Solid Waste Rates applicable upon the Commencement Date of this Agreement shall be added as an Addendum to Exhibit L upon adoption of the Fiscal Year 2017-18 Solid Waste Rates by the City Council.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 12th day of April 2017.




STEVE LY, MAYOR of the
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN P. HOBBS,
CITY ATTORNEY

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2017-082**

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


I, Jason Lindgren, 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 April 12, 2017 by the following vote:

AYES : **COUNCILMEMBERS:** *Ly, Detrick, Nguyen, Suen*

NOES: **COUNCILMEMBERS:** *None*

ABSTAIN: **COUNCILMEMBERS:** *Hume (Recused)*

ABSENT: **COUNCILMEMBERS:** *None*



**Jason Lindgren, City Clerk
City of Elk Grove, California**