

RESOLUTION NO. 2021-147

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE DECLARING ITS INTENTION TO GRANT A SECOND AMENDMENT TO AND RESTATEMENT OF THE FRANCHISE AGREEMENT WITH ALLIED WASTE SERVICES OF NORTH AMERICA, LLC, dba REPUBLIC SERVICES FOR SOLID WASTE COLLECTION SERVICES, AND SETTING A PUBLIC HEARING DATE FOR CONSIDERATION OF AN AMENDED AND RESTATED FRANCHISE AGREEMENT

WHEREAS, Allied Waste Services of North America, LLC, dba Republic Services has applied to the City of Elk Grove (“City”) for an amendment to the current franchise agreement, which grants it the exclusive right to collect and transport residential solid waste in accordance with Elk Grove Municipal Code (“EGMC”) Chapter 30.30; and

WHEREAS, the proposed amendment is necessary to add organic waste collection, processing, and related services to meet the City’s obligations under Senate Bill 1383: Short-Lived Climate Pollutants (SLCP): Organic Waste Methane Emissions Reductions (“SB 1383”); and

WHEREAS, the proposed amendment impacts numerous portions of the franchise agreement and therefore will be incorporated as a second amendment to and restatement of the franchise agreement; and

WHEREAS, the City Council of the City of Elk Grove (“City Council”) wishes to adopt a resolution, pursuant to EGMC 30.30.020, declaring its intention to grant the amended and restated franchise to Allied Waste Services of North America, LLC and to set a public hearing at which all persons having any objection to the granting thereof may appear before the City Council and be heard thereon.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove hereby takes the following actions:

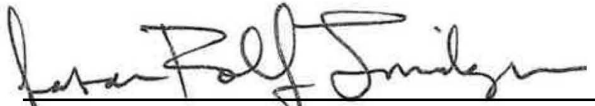
- 1) Declares its intention to grant an amended and restated Franchise Agreement to Allied Waste Services of North America LLC, for residential solid waste collection services adding organic waste collection and processing services for a term of seven years with a three-year extension if all performance requirements are met, (“Franchise”);
- 2) Sets a public hearing concerning the proposed second amendment to and restatement of the Franchise Agreement to be held at the time and place specified in the public notice attached as Exhibit A, incorporated herein by reference, which public notice the City Clerk is hereby directed to publish in substantially the form attached at least once in a newspaper of general circulation in the City within 15 days after adoption of this resolution.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 26th day of May 2021



BOBBIE SINGH-ALLEN, MAYOR of the
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN P. HOBBS,
CITY ATTORNEY



Incorporated July 1, 2000

8401 Laguna Palms Way
Elk Grove, California 95758

CITY OF ELK GROVE

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City of Elk Grove – City Council NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on **Wednesday, June 23, 2021, at the hour of 6:00 p.m.**, or as soon thereafter as the matter may be heard, the Elk Grove City Council will conduct a public hearing at City Hall in the Council Chambers, 8400 Laguna Palms Way, Elk Grove, California, to consider the following matter:

1. To grant an amended and restated exclusive franchise to Allied Waste Services of North America, LLC (“Applicant”) for Residential Solid Waste Collection Services in accordance with Elk Grove Municipal Code Chapter 30.30; and

At the time set for the public hearing for consideration of this application for an amended and restated solid waste franchise agreement, the City Council shall:

1. Consider the Applicant’s ability to carry out the services proposed to be provided by the contract, the financial and business experience and standing of the Applicant, and any other pertinent factors, including the public interest served; and
2. Hear the application and the comments of interested persons.

The City Council may adjourn the public hearing from time to time at the City Council’s discretion. Following the conclusion of the hearing, the City Council shall decide if the contract shall be granted.

Information or questions regarding this item should be referred to Heather Neff, Recycling and Waste Division Manager, at (916) 478-3686.

Consistent with Executive Order N-29-20 issued on March 17, 2020, and Executive Order N-35-20 issued on March 21, 2020, by the Governor of the State of California, this meeting will be conducted by teleconference only. The meeting location will be the City Council Chamber, but it will not be open to the public. The live meeting can be viewed via the City’s website at http://www.elkgrovecity.org/city_hall/city_government/live_archived_broadcasts

All interested persons are invited to present their views and comments on this matter at the public hearing. Written statements may be filed with the City Clerk either in writing or by email at any time prior to the close of the hearing scheduled herein, and oral statements may be made following the procedures established to accommodate social distancing guidelines, available on the City’s website at http://www.elkgrovecity.org/city_hall/city_government/city_council/council_meetings/public_hearing_notices, or by contacting the City Clerk by phone at (916) 478-2286 or email to jlindgren@elkgrovecity.org.

Dated/Published: June 4, 2021
JASON LINDGREN
CITY CLERK, CITY OF ELK GROVE

ADA COMPLIANCE STATEMENT

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Office of the City Clerk at (916) 478-3635. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2021-147

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 May 26, 2021 by the following vote:

AYES: **COUNCILMEMBERS:** *Singh-Allen, Nguyen, Hume, Spease, Suen*

NOES: **COUNCILMEMBERS:** *None*

ABSTAIN: **COUNCILMEMBERS:** *None*

ABSENT: **COUNCILMEMBERS:** *None*



Jason Lindgren, City Clerk
City of Elk Grove, California