

RESOLUTION NO. 2015-048

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
AUTHORIZING THE CITY MANAGER TO EXECUTE THE SECOND AMENDMENT
TO AND RESTATEMENT OF THE FRANCHISE AGREEMENT BETWEEN THE CITY
OF ELK GROVE AND ALLIED WASTE SERVICES OF NORTH AMERICA, LLC;
SUBSIDIARY OF REPUBLIC SERVICES, INC. FOR RESIDENTIAL REFUSE AND
SHARPS COLLECTION AND TRANSPORTATION TO DISPOSAL FACILITIES AND
RECYCLABLES, GREEN WASTE, AND E-WASTE COLLECTION,
TRANSPORTATION, PROCESSING AND MARKETING**

WHEREAS, the City of Elk Grove entered into an amended and restated Franchise Agreement with Allied Waste Services of North America, LLC ("Allied Waste"); subsidiary of Republic Services, Inc. on October 14, 2009; and

WHEREAS, the Franchise Agreement was amended on July 24, 2013 to enhance services for the City of Elk Grove by providing service to public trash and recycling containers located at bus stops citywide and at various locations in Old Town Elk Grove; and

WHEREAS, a number of additional collection services are now offered by Republic Services such as used motor oil and oil filter collection, sharps collection, etc., which have resulted in additional recyclable materials being collected; and

WHEREAS, the definition of diverted material in the agreement should to be updated to include the additional recyclable materials collected but not previously counted as diverted; and

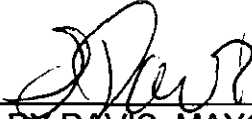
WHEREAS, the calculation of the Minimum Diversion Requirement should be clarified to specifically identify the measurement of total materials collected and total materials diverted; and

WHEREAS, the calculation of the Minimum Diversion Requirement should be updated to include the additional recyclable material collected through new programs; and

WHEREAS, the Franchise Agreement contains a number of typographical errors that should be corrected as part of this Restatement of the Agreement.

NOW, THEREFORE, BE IT RESOLVED that the City Manager is hereby authorized to execute the Second Amendment to and Restatement of the Franchise Agreement between the City of Elk Grove and Republic Services, Inc.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 11th day of March 2015.



GARY DAVIS, 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. 2015-048**

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

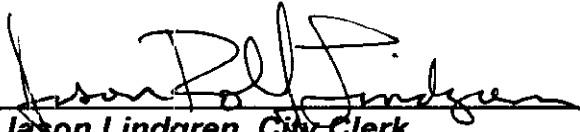
I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on March 11, 2015 by the following vote:

AYES : **COUNCILMEMBERS:** *Davis, Hume, Detrick, Ly, Suen*

NOES: **COUNCILMEMBERS:** *None*

ABSTAIN : **COUNCILMEMBERS:** *None*

ABSENT: **COUNCILMEMBERS:** *None*


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