

RESOLUTION NO. RES-2017-172

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE SOLID WASTE COLLECTION SERVICES AGREEMENT BETWEEN THE CITY OF SANTA ROSA AND RECOLOGY SONOMA MARIN, DBA RECOLOGY SANTA ROSA TO PROVIDE THE CITY'S GARBAGE, RECYCLABLE MATERIAL AND ORGANIC WASTE COLLECTION SERVICES

WHEREAS, the Legislature of the State of California, by enactment of the California Integrated Waste Management Act of 1989 ("Act") and subsequent additions and amendments (codified at California Public Resources Code sections 40000 et seq.), has declared that it is in the public interest to authorize and require local agencies to make adequate provisions for solid waste collection within their jurisdictions; and

WHEREAS, the State of California has found and declared that the amount of solid waste generated in California, coupled with diminishing landfill space and potential adverse environmental impacts from landfilling and the need to conserve natural resources, have created an urgent need for State and local agencies to enact and implement an aggressive integrated waste management program. The State has, through enactment of the Act, directed the responsible State agency, and all local agencies, to promote disposal site diversion and to maximize the use of feasible solid waste reduction, re-use, recycling, and composting options to reduce the amount of solid waste that must be disposed of in disposal sites; and

WHEREAS, pursuant to California Public Resources Code section 40059(a) as may be amended from time to time, the City of Santa Rosa has determined that the public health, safety, and well-being require that an exclusive right be awarded to a qualified contractor to provide for the collection of Garbage, Recyclable Material, and Organic Waste, except for collection of materials excluded in the Santa Rosa's Municipal Code, and other services related to meeting the California Integrated Waste Management Act ("Act") of 50% diversion requirement, the State's ("CalRecycle") 50% diversion requirement and 75% diversion goal by 2020 and other requirements of the Act, AB 341, AB 1826 and other local, State and federal requirements; and

WHEREAS, the parties reached agreement regarding the rates Recology will charge service recipients for the collection, transportation, processing, recycling, composting, and/or disposal of garbage, recyclable material, and organic waste; and

WHEREAS, the City Council has determined through a competitive procurement process for collection services that Recology, by demonstrated experience, reputation and capacity, is qualified to provide for the collection of solid waste, recyclable material, and organic waste within the corporate limits of the City of Santa Rosa, the transportation of such material to permitted places for processing, recycling, composting and/or disposal; and the City Council desires that Recology be engaged to perform such services on the basis set forth in the Solid Waste Collection Services Agreement; and

WHEREAS, Recology through its proposal to the City of Santa Rosa, has proposed and represented that it has the ability and capacity to provide for the collection of garbage, recyclable

material, and organic waste within the corporate limits of the City of Santa Rosa; the transportation of such material to permitted places for processing, recycling, composting and/or disposal; and the processing of materials; and

WHEREAS, the Solid Waste Collection Services Agreement has been developed by and is satisfactory to the City of Santa Rosa and Recology with a term of fifteen years, granting Recology the exclusive right to provide waste removal services within Santa Rosa, beginning January 1, 2018 and ending December 31, 2032.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Santa Rosa hereby approves the Solid Waste Collection Services Agreement with Recology Sonoma Marin, dba Recology Santa Rosa in substantially the same form as Exhibit A to this Resolution, subject to approval as to form by the City Attorney.

BE FURTHER RESOLVED by the Council that the Mayor is authorized to execute the Agreement.

IN COUNCIL DULY PASSED this 29th day of August, 2017.

AYES: (7) Mayor Coursey, Vice Mayor Tibbetts, Council Members Combs, Olivares, Rogers, Sawyer, Schwedhelm

NOES: (0)

ABSENT: (0)

ABSTAIN: (0)

ATTEST: \_\_\_\_\_ APPROVED: \_\_\_\_\_  
City Clerk Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

Exhibit A – Solid Waste Collection Services Agreement with Recology Sonoma Marin