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6/20/06

(O-2006-126)

ORDINANCE NUMBER O- 19500 (NEW SERIES)

DATE OF FINAL PASSAGE JUN 22 2006

AN ORDINANCE OF THE CITY OF SAN DIEGO APPROVING TRANSFER OF A SOLID WASTE COLLECTION FRANCHISE FROM NEWCO TO DIAMOND SOLID WASTE SERVICES, LLC; AUTHORIZING EXECUTION OF A CLASS I NON-EXCLUSIVE SOLID WASTE COLLECTION FRANCHISE WITH DIAMOND SOLID WASTE SERVICES, LLC; AND FINDING NO ENVIRONMENTAL IMPACT BY THIS ACTION.

WHEREAS, by Ordinance No. 18982, adopted on September 10, 2001, the City Council approved the award of a non-exclusive solid waste collection franchise to National Environmental Waste Corporation doing business as NEWCO, Inc. [NEWCO]; and

WHEREAS, Diamond Solid Waste Services, LLC [Diamond] has applied to the City to transfer the NEWCO non-exclusive solid waste collection franchise to Diamond, and NEWCO and other interested parties have consented to such transfer, subject to approval by the City Council; and

WHEREAS, such transfer is in the best interests of the City; NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That the transfer of a non-exclusive solid waste collection franchise from National Environmental Waste Corporation to Diamond Solid Waste Services, LLC, is hereby approved.

Section 2. That the Mayor is hereby authorized to execute, for and on behalf of the City, a Class I non-exclusive solid waste collection franchise agreement with Diamond Solid Waste Services, LLC, under the terms and conditions set forth in the Franchise Agreement, on file in the office of the City Clerk as Document Number OO- 019500.

Section 3. That this activity is not subject to the California Environmental Quality Act pursuant to CEQA guideline 15060(c)(2) because this activity will not result in a direct or reasonably foreseeable indirect physical change in the environment.

Section 4. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 5. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By Grace C. Lowenberg
Grace C. Lowenberg
Deputy City Attorney

GCL:mb
05/08/06
Aud.Cert:N/A
Or.Dept:ESD
O-2006-126

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of JUN 20 2006.

ELIZABETH S. MALAND, City Clerk

By Debbie Swenson-Cree
Deputy City Clerk

Approved: 6-22-06
(date)

Jerry Sanders
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor