

ORDINANCE NUMBER O- **19919** (NEW SERIES)

DATE OF FINAL PASSAGE JAN 08 2010

AN ORDINANCE OF THE CITY OF SAN DIEGO APPROVING THE TRANSFER OF A SOLID WASTE COLLECTION FRANCHISE IN CONNECTION WITH THE MERGER OF ALLIED WASTE INDUSTRIES, INC. AND REPUBLIC SERVICES, INC., AND AUTHORIZING THE EXECUTION OF A CONSENT TO ASSIGNMENT OF THE FRANCHISE.

WHEREAS, by Ordinance No. O-19180, adopted on May 20, 2003, the City Council granted a non-exclusive franchise to Pacific Waste Services, a wholly-owned subsidiary of Allied Waste Industries, Inc., to provide solid waste management services within the City of San Diego [Franchise], and approved the execution of the Class II Non-Exclusive Franchise Agreement between the City of San Diego and Pacific Waste Services for Solid Waste Management Services, which was subsequently amended [Agreement]; and

WHEREAS, on December 5, 2008, Allied Waste Industries, Inc. [Allied] merged with Republic Services, Inc. [Republic], which became the ultimate parent company of Pacific Waste Services, now known as Allied Waste Systems, Inc., doing business as Allied Waste Services of San Diego;

WHEREAS, the parties wish to transfer the Franchise and assign the Agreement, as amended, to the new entity; and

WHEREAS, on October 7, 2009, the Natural Resources & Culture Committee recommended approval of the transfer and assignment; and

WHEREAS, the transfer and assignment are in the best interests of the City; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

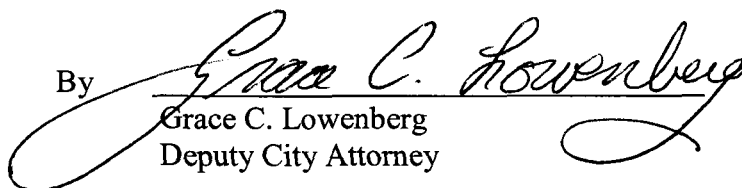
Section 1. That the Council approves the transfer of the Franchise to Allied Waste Systems, Inc., doing business as Allied Waste Services of San Diego (formerly Pacific Waste Services) as it is legally structured, owned, and controlled following the merger of Allied and Republic.

Section 2. That the Mayor or his designee is authorized to execute, for and on behalf of the City, a consent to the assignment of the Agreement, as amended, under the terms and conditions set forth in the Consent to Assignment of Class II Non-Exclusive Franchise Agreement for Solid Waste Management Services, on file with the City Clerk as Document No. OO- **19919**.

Section 3. That a full reading of this ordinance is dispensed with prior to its passage, since a written copy was made available to the City Council and the public prior to the day of its passage.

Section 4. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.


APPROVED: JAN I. GOLDSMITH, City Attorney

By   
Grace C. Lowenberg  
Deputy City Attorney

GCLmb  
11/20/09  
Or.Dept:ESD  
O-2010-45

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego,  
at its meeting of JAN 5 2010.

ELIZABETH S. MALAND, City Clerk

By   
Deputy City Clerk

Approved: 1-8-10  
(date)

  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor