

Tues 7/11/17
(O-2017-145) Item 53

ORDINANCE NUMBER O- 20843 (NEW SERIES)

DATE OF FINAL PASSAGE JUL 25 2017

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING AMENDMENTS TO THE
CITY'S CLASS I AND CLASS II NON-EXCLUSIVE SOLID
WASTE COLLECTION FRANCHISE AGREEMENTS.

WHEREAS, by ordinance, the City Council granted solid waste collection franchises to, and authorized execution of franchise agreements with, the Class I and Class II franchisees listed on the attached Exhibit A; and

WHEREAS, the proposed amendments provide for a seven-year term with an option for annual, one-year extensions, subject to City Council approval by ordinance, and amend franchisee container signage requirements, under the terms and conditions set forth in the proposed franchise amendments; and

WHEREAS, City staff have met with the franchisees regarding the proposed franchise amendments; and

WHEREAS, on May 25, 2017, the Environment Committee unanimously recommended approval of this item; and

WHEREAS, under Charter section 103, no franchise or extension thereof may be authorized except by Ordinance approved by a two-thirds majority vote of the City Council;

NOW, THEREFORE,

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

Section 1. That the Mayor or his designee is authorized to execute, for and on behalf of the City, Ninth Amendments to the Class I Non-Exclusive Franchise Agreements for Solid Waste Management Services with the Class I franchisees listed on the attached Exhibit A, under

the terms and conditions set forth in the Ninth Amendment on file in the Office of the City Clerk as Document No. OO- 20843-1

Section 2. That the Mayor or his designee is authorized to execute, for and on behalf of the City, Eighth Amendments to the Class II Non-Exclusive Franchise Agreements for Solid Waste Management Services with the Class II franchisees listed on the attached Exhibit A, (except for EDCO Disposal Corporation dba Daily Disposal Services, Inc.), under the terms and conditions set forth in the Eighth Amendment on file in the Office of the City Clerk as Document No. OO- 20843-2

Section 3. That the Mayor or his designee is authorized to execute, for and on behalf of the City, a Seventh Amendment to the Class II Non-Exclusive Franchise Agreement for Solid Waste Management Services with EDCO Disposal Corporation dba Daily Disposal Services, Inc., under the terms and conditions set forth in the Seventh Amendment on file in the Office of the City Clerk as Document No. OO- 20843-3

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

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



APPROVED: MARA W. ELLIOTT, City Attorney

By 
Amanda L. Guy
Deputy City Attorney

ALG:js
06/05/17
Or.Dept: ESD
Doc. No.: 1517116

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of JUL 11 2017.

ELIZABETH S. MALAND
City Clerk

By 
Elizabeth S. Maland
City Clerk

KEVIN L. FAULCONER, Mayor

Approved: 7/24/17
(date)

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

"The date of final passage is July 25, 2017, which represents the day this ordinance was returned to the Office of the City Clerk with the Mayor's signature of approval."

EXHIBIT A

CITY OF SAN DIEGO
NON-EXCLUSIVE SOLID WASTE COLLECTION FRANCHISEES

CLASS I FRANCHISEES

Allan Company
Debris Box
Dependable Disposal & Recycling
Diamond Solid Waste Services LLC
John Smith Earthworks, Inc.
Tayman Industries
Ware Disposal Co., Inc.

CLASS II FRANCHISEES

EDCO Disposal Corporation (6)

- Daily Disposal Services, Inc.
- EDCO Disposal Corporation
- EDCO Waste & Recycling Services, Inc
- Express Waste & Recycling
- Sani-Tainer, Inc.
- Webco Sanitation

Republic Services (Allied) (1)

Waste Management of San Diego (7)

- BDC Special Waste Services
- Coast Waste Management, Inc.
- Emerald Waste & Recovery, Inc.
- Moor Refuse, Inc.
- Reliable Waste
- USA Waste of California, Inc.
- Waste Management of San Diego

Passed by the Council of The City of San Diego on JUL 11 2017, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gomez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JUL 25 2017

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By *Aty Brady*, Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

JUN 20 2017

, and on JUL 25 2017.

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By *Aty Brady*, Deputy

Office of the City Clerk, San Diego, California

Ordinance Number O- 20843