

#51  
10/3/17

(O-2018-15)

ORDINANCE NUMBER O- 20860 (NEW SERIES)

DATE OF FINAL PASSAGE OCT 04 2017

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE TRANSFER OF A NON-EXCLUSIVE SOLID WASTE COLLECTION FRANCHISE FROM TAYMAN INDUSTRIES, INC. TO ALLIED WASTE SYSTEMS AND AUTHORIZING A CONSENT TO ASSIGNMENT OF THE TAYMAN INDUSTRIES, INC. FRANCHISE AGREEMENT.

WHEREAS, Tayman Industries, Inc. has a non-exclusive Class I franchise and franchise agreement with the City for the collection and management of solid waste; and

WHEREAS, Tayman Industries, Inc. wishes to transfer its franchise to Allied Waste Systems; and

WHEREAS, Allied Waste Systems is a subsidiary of Republic Services, Inc., a current solid waste collection and management franchisee within the City of San Diego; and

WHEREAS, Allied Waste Systems has agreed to acquire 100 percent of the issued and outstanding stock of Tayman Industries, Inc., hereinafter referred to as the "Tayman Transaction", which will result in a change of the ownership and control of Tayman Industries, Inc.; and

WHEREAS, the Tayman Transaction will result in a transfer of the franchise as defined under San Diego Charter section 103; and

WHEREAS, the transfer of the franchise requires City Council approval under San Diego Charter section 103, San Diego Municipal Code section 66.0120, and section 10.5 of the franchise agreement; and

WHEREAS, under San Diego Charter section 103, no franchise transfer may be authorized except by Ordinance approved by a two-thirds majority vote of the City Council; and

WHEREAS, Allied Waste Systems has informed the City that the franchisee, subject to the closing of the Tayman Transaction, shall be known as Tayman Industries, Inc. dba Republic Services of San Diego; and

WHEREAS, this item was heard by the Committee on the Environment on July 20, 2017, which unanimously recommended approval of this transfer; NOW, THEREFORE,

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

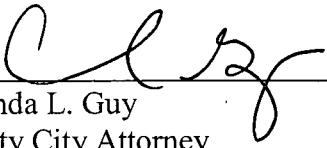
Section 1. That the transfer of the Class I Non-Exclusive Franchise for Solid Waste Management Services from Tayman Industries, Inc. to Allied Waste Systems is hereby approved.

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 franchise and the franchise agreement, as set forth in the Consent to Assignment of Class I Non-Exclusive Franchise Agreement for Solid Waste Management Services, on file with the City Clerk as Document No. OO- 20860.

Section 3. 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 4. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.


APPROVED: MARA W. ELLIOTT, City Attorney

By   
Amanda L. Guy  
Deputy City Attorney

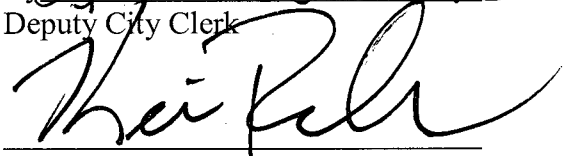
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08/21/17  
Or.Dept: ESD  
Doc. No. 1563727

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of    OCT 03 2017

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 10/4/17  
(date)

  
KEVIN L. FAULCONER, Mayor

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

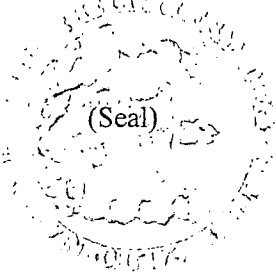
\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on OCT 03 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 OCT 04 2017

AUTHENTICATED BY:



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

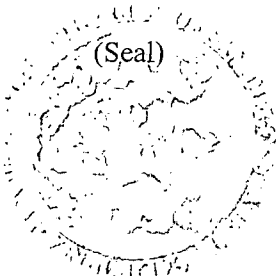
ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By Ginda Bruen, 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

SEP 12 2017, and on OCT 04 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.



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

By Ginda Bruen, Deputy

Office of the City Clerk, San Diego, California  
Ordinance Number O- 20860