

ORDINANCE NO. \_\_\_\_\_

AN UNCODIFIED ORDINANCE OF THE CITY OF PASADENA GRANTING  
NON-EXCLUSIVE FRANCHISES FOR SOLID WASTE COLLECTION TO 12  
APPLICANTS.

The People of the City of Pasadena ordain as follows:

WHEREAS, on November 6, 2006, the City Council of the City of Pasadena considered 12 applications for a non-exclusive solid waste collection franchise and adopted Resolution No. 8665, after determining that said applications comply with Chapter 8.61 of the Pasadena Municipal Code; and

WHEREAS, said Resolution was duly published on November 16, 2006, and;

WHEREAS, a duly-noticed public hearing pursuant to said Resolution was held on December 11, 2006 for the applications; and

WHEREAS, after reviewing each application, and after public hearing, it was determined that each of the 12 applications complies with Chapter 8.61 of the Pasadena Municipal Code and each applicant has agreed to comply with all provisions of this Chapter, including but without limitation, required recycling diversion rates, and;

WHEREAS, due to performance issues, additional conditions were imposed on two of the 12 applicants: Patriot Services, Inc. and Federal Disposal Service.

NOW THEREFORE, the People of the City of Pasadena ordain as follows:

SECTION 1. Pursuant to Chapter 8.61 of the Pasadena Municipal Code, a separate non-exclusive solid waste collection franchise is hereby granted to each of the following applicants, listed by name and business address, according to the terms and conditions set forth in the text of this ordinance and to the terms and conditions of a separate franchise agreement to be executed by each franchisee.

Each grant of franchise is based on the certifications of that franchisee that it shall comply with all of the provisions of Chapter 8.61 of the Pasadena Municipal Code, including, but without limitation the provisions of Section 8.61.175, which establish a contract requirement of minimum recycling diversion rates which must be met by each franchisee and liquidated damages for each franchisee for failing to meet those rates. Each franchise shall be for a first period of 18 months, commencing as of January 1, 2007, if a written franchise agreement has been fully executed by the franchisee and all other requirements of Chapter 8.61 of the Pasadena Municipal Code have been met by that franchisee. Each franchise may be extended for up to four additional renewal terms at the option of the City Manager and according to the provisions of Section 8.61.120 of the Pasadena Municipal Code, with each renewal term being a term of one year.

SECTION 2. Pursuant to Chapter 8.61 of the Pasadena Municipal Code, a separate, non-exclusive, solid waste collection franchise is granted to each of the following applicants:

1. Arrow Disposal Service, Inc.  
14330 East Valley Blvd  
La Puente, CA 91746
2. Complete Service, Inc.  
14408 East Whittier Blvd., Suite B-6  
Whittier, CA 90605
3. Diversion Solutions, Inc. dba General Waste Disposal  
11329 Thienes Avenue  
South El Monte, CA 91733
4. Franks Disposal Company  
10128 McBroom Street  
Sunland, CA 91040

5. Heritage Disposal, Inc.  
704 South Date Avenue  
Alhambra, CA 91803
6. J & L Hauling & Disposal, Inc.  
5416 Mildred Street  
Simi Valley, CA 93063
7. Looney Bins, Inc.  
12153 Montague Street  
Pacoima, CA 91331
8. Metropolis Disposal  
7740 Burnet Avenue  
Van Nuys, CA 91405
9. Waste and Recycling Services, Inc.  
13714 Chestnut Street  
Whittier, CA 90605
10. Western Tear-off and Disposal, Inc. dba Western Waste Services  
10920 Grand Avenue  
Temple City, CA 91780

SECTION 3. Pursuant to Chapter 8.61 of the Pasadena Municipal Code, a separate, non-exclusive, solid waste collector franchise is granted conditionally to each of the following applicants:

1. Federal Disposal Service  
15031 Parkway Loop Avenue, Suite-A  
Tustin, CA 92780
2. Patriot Services, Inc.  
527 North 2<sup>nd</sup> Street  
Montebello, CA 90640

Each grant of franchise is based on the certifications of that franchisee that it shall comply with all of the provisions of Chapter 8.61 of the Pasadena Municipal Code, including, but without limitation the provisions of Section 8.61.175, which establish a contract requirement of minimum recycling diversion rates which must be met by each

franchisee and liquidated damages for each franchisee for failing to meet those rates. Each franchise shall be for a first period of 18 months, commencing as of January 1, 2007, if a written franchise agreement has been fully executed by the franchisee and all other requirements of Chapter 8.61 of the Pasadena Municipal Code have been met by that franchisee. Each franchise may be extended for up to four additional renewal terms at the option of the City Manager and according to the provisions of Section 8.61.120 of the Pasadena Municipal Code, with each renewal term being a term of one year.

The additional conditions imposed upon the grant of franchise are as follows:

A. Franchisee must submit and maintain a deposit of either \$10,000 or an amount equal to average of 3 months worth of franchise fees as the Director of Public Works may determine, whichever amount is higher, to the City to secure any owed fees. The deposit must be submitted within seven days from the date the franchise agreement is granted and must be replenished within ten (10) days from any draw by the City. The City may draw upon the deposit on five (5) days written notice, and the deposit will be retained by the City until the franchise is terminated.

B. If franchisee is late more than three times within the contract year with tonnage reporting or payment, the franchise may be suspended upon written notice by the Director of Public Works.

SECTION 5. The city clerk shall certify the adoption of this ordinance and shall cause this ordinance to be published in full text.

SECTION 6. This ordinance shall take effect upon the expiration of thirty days after its publication.

Signed and approved this \_\_\_\_ day of \_\_\_\_\_, 2007.

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Bill Bogaard  
Mayor of the City of Pasadena

I HEREBY CERTIFY that the foregoing ordinance was adopted by the City Council of the City of Pasadena at its meeting held

By the following vote:

AYES:

NOES:

ABSENT:

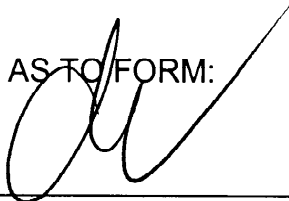
ABSTAIN:

PUBLISHED:

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Jane L. Rodriguez, CMC  
City Clerk

APPROVED AS TO FORM:



1/9/07

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Nicholas George Rodriguez  
Assistant City Attorney