



Ordinance Fact Sheet

TO: CITY COUNCIL

DATE: May 24, 2004

FROM: CITY ATTORNEY

SUBJECT: AN UNCODIFIED ORDINANCE OF THE CITY OF PASADENA GRANTING NON-EXCLUSIVE FRANCHISES FOR SOLID WASTE COLLECTION TO TWENTY SEVEN (27) APPLICANTS.

TITLE OF PROPOSED ORDINANCE:

AN UNCODIFIED ORDINANCE OF THE CITY OF PASADENA GRANTING NON-EXCLUSIVE FRANCHISES FOR SOLID WASTE COLLECTION TO TWENTY SEVEN (27) APPLICANTS.

PURPOSE OF ORDINANCE:

On April 26, 2004, the City Council held a public hearing on each of the twenty seven (27) applications for non-exclusive solid waste franchises. All applications were subsequently approved by the City Council which directed the City Attorney and staff to prepare the necessary ordinance for the approved applications and authorized the City Manager to enter into the franchise agreements.

Each franchise is for a period of one year, with up to three additional renewal terms at the option of the City Manager. Each franchise is to commence as of July 1, 2004 if a written franchise agreement is in place and the franchisee otherwise meets all of the requirements for conducting this business in the City of Pasadena.

The approved applicants are:

1. AAA Rubbish, Inc.
2. Active Disposal and Recycling
3. Allan Company
4. American Reclamation, Inc.
5. American Waste Industries
6. Art's Disposal Service, Inc.
7. Athens Services

8. BFI Waste Systems of North America, Inc.
9. Commercial Waste Services, Inc.
10. Consolidated Disposal Service, L.L.C.
11. Crown Disposal Company Inc.
12. Full Circle Recycling Company
13. General Waste Disposal, Inc.
14. G & G Roll Off Services, Inc.
15. Haul-Away Rubbish Service Company, Inc.
16. Klistoff & Sons Disposal, Inc.
17. Master Disposal Company, Inc.
18. Murk Brothers Disposal Company
19. Nasa Disposal Service, Inc.
20. Norcal Waste Systems, Inc., dba J.J.V. Disposal
21. Serv-Well Disposal/A Rent-A-Bin
22. Southern California Environmental, Inc.
23. Southland Disposal Company
24. SWRD, Inc. dba Solid Waste Recycling & Disposal
25. Universal Waste Systems, Inc.
26. Valley Vista Services, Inc.
27. Ware Disposal Company, Inc.

REASONS WHY LEGISLATION IS NEEDED:


The Charter of the City of Pasadena, Article XI, Section 1104 specifies that the method and procedure for granting a franchise shall be by ordinance.

ENVIRONMENTAL IMPACTS

The Environmental Administrator has determined that the proposed ordinance is exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15061(b)(3), which states the following: "[t]he activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA."


Respectfully submitted,


Michele Beal Bagneris
City Attorney

Prepared by:  5/12/04

Nicholas George Rodriguez
Assistant City Attorney

Concurrence:


Cynthia J. Kurtz
City Manager

Introduced by City Councilmember

ORDINANCE NO. _____

AN UNCODIFIED ORDINANCE OF THE CITY OF PASADENA GRANTING
NON-EXCLUSIVE FRANCHISES FOR SOLID WASTE COLLECTION TO
TWENTY SEVEN (27) APPLICANTS.

The People of the City of Pasadena ordain as follows:

WHEREAS, on April 26, 2004, the City Council of the City of Pasadena considered twenty seven (27) applications for a non-exclusive solid waste collection franchise and adopted Resolution No. 8338, after determining that said applications comply with Chapter 8.61 of the Pasadena Municipal Code; and

WHEREAS, said Resolution was duly published on April 16, 2004, and;

WHEREAS, a duly-noticed public hearing pursuant to said Resolution was held on April 26, 2004 for the applications; and

WHEREAS, after reviewing each application, and after public hearing, it was determined that each of the twenty seven (27) 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.

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 period of one year, commencing as of July 1, 2004, 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 three 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. AAA Rubbish, Inc.
P.O. Box 2158
Bell Gardens, CA 90202
2. Active Disposal and Recycling
525 N. 2nd Street
Montebello, CA 90640
3. Allan Company
14618 Arrow Highway
Baldwin Park, CA 91706
4. American Reclamation, Inc.
4560 Doran Street
Los Angeles, CA 90039
5. American Waste Industries
P.O. Box 2001
Sun Valley, CA 91353-2001

6. Art's Disposal Service, Inc.
127 Van Norman Rd.
Montebello, CA 90640
7. Athens Services
P.O. Box 60009
City of Industry, CA 91716
8. BFI Waste Systems of North America, Inc.
9200 Glenoaks Blvd.
Sun Valley, CA 91352
9. Commercial Waste Services, Inc.
P.O. Box 5787
Hacienda Heights, CA 90640
10. Consolidated Disposal Service, L.L.C.
12949 Telegraph Road
Santa Fe Springs, CA 90670
11. Crown Disposal Company Inc.
9189 De Garmo Avenue
Sun Valley, CA 91352
12. Full Circle Recycling Company
1920 Randolph Street
Los Angeles, CA 90001
13. General Waste Disposal, Inc.
P.O. Box 3661
South El Monte, CA 91733
14. G & G Roll Off Services, Inc.
14625 Channing St.
Baldwin Park, CA 91706
15. Haul-Away Rubbish Service Company, Inc.
1205 Date St.
Montebello, CA 90640
16. Klistoff & Sons Disposal, Inc.
4280 Bandini Blvd.
Vernon, CA 90023
17. Master Disposal Company, Inc.
2852 Durfee Ave.
El Monte, CA 91732

18. Murk Brothers Disposal Company
P.O. Box 9651
Brea, CA 92022
19. Nasa Disposal Service, Inc.
1701 Gage Road
Montebello, CA 90640
20. Norcal Waste Systems, Inc., dba J.J.V. Disposal
3514 Emery Street
Los Angeles, CA 90023
21. Serv-Well Disposal/A Rent-A-Bin
901 S. Maple Avenue
Montebello, CA 90640
22. Southern California Environmental, Inc.
25422 Trabuco Rd., #105-409
Lake Forest, CA 92630
23. Southland Disposal Company
P.O. Box 86786
Los Angeles, CA 90086
24. SWRD, Inc. dba Solid Waste Recycling & Disposal
638 Giano Avenue
La Puente, CA 91744
25. Universal Waste Systems, Inc.
1250 East Holt Blvd.
Pomona, CA 91767
26. Valley Vista Services, Inc.
17445 E. Railroad St.
City of Industry, CA 91748
27. Ware Disposal Company, Inc.
P.O. Box 8206
Newport Beach, CA 92658

SECTION 3. The city clerk shall certify the adoption of this ordinance and shall cause this ordinance to be published in full text.

SECTION 4. This ordinance shall take effect upon the expiration of thirty days after its publication.

Signed and approved this day of May, 2004.

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 , 2004, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

PUBLISHED:

Jane L. Rodriguez, CMC
City Clerk

APPROVED AS TO FORM:

 5/12/04

Nicholas George Rodriguez
Assistant City Attorney