



Ordinance Fact Sheet

TO: CITY COUNCIL

DATE: October 20, 2008

FROM: CITY ATTORNEY

SUBJECT: AN UNCODIFIED ORDINANCE OF THE CITY OF PASADENA GRANTING ASSIGNMENT OF A NON-EXCLUSIVE SOLID WASTE FRANCHISE FROM LOONEY BINS, INC., TO USA WASTE OF CALIFORNIA, INC., DBA WASTE MANAGEMENT.

TITLE OF PROPOSED ORDINANCE:

AN UNCODIFIED ORDINANCE OF THE CITY OF PASADENA GRANTING ASSIGNMENT OF A NON-EXCLUSIVE SOLID WASTE FRANCHISE FROM LOONEY BINS, INC., TO USA WASTE OF CALIFORNIA, INC., DBA WASTE MANAGEMENT.

PURPOSE OF ORDINANCE:

On September 22, 2008, the City Council of the City of Pasadena directed the City Attorney and staff to prepare an amendment to Ordinance No. 7087 and authorized the City Manager to enter into the franchise agreement that subsequently approves the transfer and assignment of non-exclusive solid waste franchise from Looney Bins, Inc., to USA Waste of California, Inc., dba Waste Management. USA Waste of California, Inc. dba Waste Management complies with Chapter 8.61 of the Pasadena Municipal Code and has agreed to comply with all provisions of Chapter 8.61.

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.

MEETING OF 10/20/2008

AGENDA ITEM NO. 9.A.2.


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,

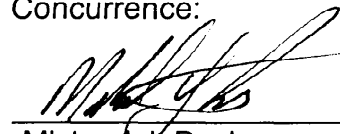

Michele Beal Bagneris
City Attorney

Prepared by

 6/16/08

Nicholas George Rodriguez
Assistant City Attorney

Concurrence:


Michael J. Beck
City Manager

ORDINANCE NO. _____

AN UNCODIFIED ORDINANCE OF THE CITY OF PASADENA GRANTING ASSIGNMENT OF A NON-EXCLUSIVE SOLID WASTE FRANCHISE FROM LOONEY BINS, INC., TO USA WASTE OF CALIFORNIA, INC., DBA WASTE MANAGEMENT AND AMENDING ORDINANCE NUMBER 7087.

The People of the City of Pasadena ordain as follows:

WHEREAS, on September 22, 2008, the City Council of the City of Pasadena directed the City Attorney to prepare an amendment to Ordinance No. 7087 that approves the transfer and assignment of non-exclusive solid waste franchise from Looney Bins, Inc., to USA Waste of California, Inc., dba Waste Management; and

WHEREAS, it was determined that USA Waste of California, Inc. dba Waste Management complies with Chapter 8.61 of the Pasadena Municipal Code and 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. Ordinance Number 7087 is hereby amended by deleting the reference to Looney Bins, Inc. and by substituting the following in its place, as of the effective date of this uncodified ordinance.

USA Waste of California Inc., dba Waste Management
1970 East 213th Street
Long Beach, CA 90810

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 _____, 2008.

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:

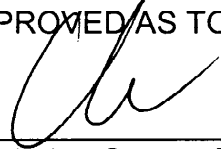
ABSENT:

ABSTAIN:

PUBLISHED:

Jane L. Rodriguez, CMC
City Clerk

APPROVED AS TO FORM:

 10/6/08

Nicholas George Rodriguez
Assistant City Attorney