

RESOLUTION NO. 19-8708

**A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA
TO GRANT NON-EXCLUSIVE FRANCHISE AGREEMENTS FOR
HAULING OF INDUSTRIAL REFUSE AND RECYCLABLES**

BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, the industrial refuse haulers, Eco Box Recycling, Ferma Greenbox, Inc., Green Team of San Jose, GW Debris Services, LLC, Jonna Corporation dba Premier Recycle, Lam Hauling, Inc. dba 7 Days Box, Mission Trail Waste Systems, Inc., RD Mendes Enterprises, Inc. dba Accurate Cleaning Systems, Recology South Bay, Republic Services Inc., Toca Debris Box, and Waste Management dba Guadalupe Rubbish Disposal Company, Inc. ("Applicants") have requested that the City of Santa Clara, pursuant to Section 8.25.210 of "The Code of the City of Santa Clara, California" ("City Code"), as authorized by Section 1400 of Article XIV ("Franchises"), of the Charter of the City of Santa Clara, issue/renew franchises for the collection and disposition of refuse and recyclable material from the City;

WHEREAS, Assembly Bill 341 requires businesses that generate four cubic yards or more of solid waste per week to arrange for recycling services, and said requirement is reflected in Section 8.25.275 of the City Code;

WHEREAS, Assembly Bill 1826 requires businesses that generate four cubic yards or more of solid waste per week to arrange for organics recycling services, and said requirement is reflected in Section 8.25.276 of the City Code;

WHEREAS, the short-lived climate pollutant regulations set forth in Senate Bill 1383 establish targets to achieve a fifty percent (50%) reduction in disposal of organic waste in landfills from the 2014 level by 2020, and a seventy-five percent (75%) reduction by 2025;

WHEREAS, Section 8.25.220 of the City Code states that the City Council may notice and provide a public hearing to review an application for contract; and

WHEREAS, the notice of hearing, publication of notice, and time for hearing requirements set forth in Section 8.25.240 of the City Code have been met.


NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the City Council after hearing the applicant's financial and business standing, experience, the compensation paid to the City and other pertinent factors, intends to hold a public hearing on May 21, 2019 and, after completion of deliberation, may grant said respective franchise.
2. That if a franchise is granted to the Applicant, the franchise fees shall be twelve percent (12%) of gross billings for all garbage, mixed waste, construction and demolition debris, recyclables, and organic waste collected, disposed, and/or recycled.
3. That if a franchise is granted to the Applicant, franchisee that provides bin or cart service, compactor services or regular scheduled debris box service must provide bundled services that are inclusive of collecting garbage, recyclables, and organic waste from each customer account in serves. Franchisee may provide mixed waste processing services in lieu of bundled services. Individual customer accounts receiving only temporary debris box services from the franchisee are exempt from this requirement.
4. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 21ST DAY OF MAY, 2019, BY THE FOLLOWING VOTE:

AYES:	COUNCILORS:	Chahal, Davis, Hardy, O'Neill and Watanabe and Mayor Gillmor
NOES:	COUNCILORS:	None
ABSENT:	COUNCILORS:	Mahan
ABSTAINED:	COUNCILORS:	None

ATTEST:



NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference: None