

RESOLUTION NO. 17-XXX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CUPERTINO AUTHORIZING A SECOND AMENDMENT TO THE FRANCHISE AGREEMENT WITH RECOLOGY CUPERTINO FOR THE COLLECTION AND PROCESSING OF RECYCLABLE AND COMPOSTABLE MATERIALS, AND THE COLLECTION AND DISPOSAL OF GARBAGE

WHEREAS, the City of Cupertino, with the approval of the City Council, entered into a franchise agreement with Recology for the collection and processing of recyclable and compostable materials, and the collection and disposal of garbage, for a term of 5 years from November 1, 2010 through October 31, 2015; and

WHEREAS, the City Council authorized the first amendment to the Recology Franchise Agreement on September 2, 2014 which extended its term to January 31, 2019; and

WHEREAS, the City Council desires to amend the Recology Agreement a second time to modify its terms, extend the contract term for two years through January 31, 2021, and authorize a payment of \$5,365 to Recology Cupertino from the Resource Recovery fund 520-81-801 to cover additional costs to process commercial organic materials collected in calendar year 2016, in accordance with staff's recommendations and the findings included in the Council report for this item;

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby approves the amendment to the Recology Franchise Agreement in accordance with the terms of this Resolution and staff's recommendations included in the Council report;

BE IT FURTHER RESOLVED, that the City Manager or his designee is authorized to execute the amendment to the Recology Franchise Agreement, and to take all steps necessary to complete negotiations and execute the contract documents.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Cupertino, State of California, this 19th day of December 2017, by the following vote:

Vote

Members of the City Council

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Grace Schmidt, City Clerk
City of Cupertino

Darcy Paul, Mayor
City of Cupertino