



## CITY OF LAGUNA WOODS Memorandum

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**DATE:** November 16, 2015  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Yolie Trippy, Deputy City Clerk  
**SUBJECT:** Supplemental Attachment to Item 7.1 for the November 18, 2015 City Council Agenda Packet

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Please find Attachment D ("Proposed Resolution") to Item 7.1 attached. The City Council will be asked to consider approval of the resolution as a part of approving the franchise agreement with Waste Management Collection and Recycling, Inc.

If you have any questions or concerns, please let me know.

  
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YOLIE TRIPPY, Deputy City Clerk

Attachment: Item 7.1, Attachment D (3 pages)

Post: Public Agenda Packet and City Website

**RESOLUTION NO. 15-XX**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, APPROVING A FRANCHISE AGREEMENT FOR SOLID WASTE HANDLING SERVICES BETWEEN THE CITY OF LAGUNA WOODS AND WASTE MANAGEMENT COLLECTION AND RECYCLING, INC., AND AUTHORIZING THE MAYOR TO EXECUTE SUCH FRANCHISE AGREEMENT.

**WHEREAS**, the City Council desires to enter an exclusive franchise agreement for solid waste handling services within the City; and

**WHEREAS**, the City Council has authorized the issuance of a Request for Proposals (RFP) for this purpose; and

**WHEREAS**, the City Council received three responses to the RFP – from CR&R, Inc., Ware Disposal, Inc., and Waste Management Collection and Recycling Services, Inc.; and

**WHEREAS**, the City Council has determined that the proposal from Waste Management Collection and Recycling Services, Inc., best responds to its needs and desires, and accordingly wishes to enter an exclusive franchise agreement with Waste Management Collection and Recycling Services, Inc., for solid waste handling services (the “Agreement”); and

**WHEREAS**, California Public Resources Code Section 49300 requires the City Council to approve the terms of the proposed Agreement with Waste Management Collection and Recycling Services, Inc., pursuant to a City Council resolution; and

**WHEREAS**, the provision of solid waste handling services is an activity supported in part through a public agency contract and therefore may be considered a “project” under the California Environmental Quality Act (“CEQA”) (Pub. Res. Code §§ 21000 et seq.) (14 Cal. Code Regs. § 15378(a)(2)); and

**WHEREAS**, it can be seen with certainty that there is no possibility that the project could have a significant effect on the environment in that the Agreement is merely the continuation of an existing service in the City.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

**SECTION 1.** Each of the above recitals is true and correct and is adopted by the City Council.

**SECTION 2.** The City Council finds that the approval of the Agreement is exempt from CEQA under the “common-sense” exemption set forth in CEQA Guidelines section 15061(b)(3).

**SECTION 3.** The City Council hereby agrees to enter into the Agreement with Waste Management Collection and Recycling Services, Inc., subject to the terms set forth in this resolution, as well as the Agreement that was considered concurrent with this resolution and is incorporated herein by this reference.

**SECTION 4.** The City Council hereby authorizes the Mayor to execute the Agreement on behalf of the City, subject to approval as to form by the City Attorney.

**SECTION 5.** The Deputy City Clerk shall certify to the adoption of this resolution.

PASSED, APPROVED AND ADOPTED on this XX day of XX 2015.

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CYNTHIA S. CONNERS, Mayor

ATTEST:

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YOLIE TRIPPY, Deputy City Clerk

STATE OF CALIFORNIA     )  
COUNTY OF ORANGE     ) ss.  
CITY OF LAGUNA WOODS   )

I, YOLIE TRIPPY, Deputy City Clerk of the City of Laguna Woods, do HEREBY CERTIFY that the foregoing **Resolution No. 15-XX** was duly adopted by the City Council of the City of Laguna Woods at a regular meeting thereof, held on the XX day of XX 2015, by the following vote:

AYES:           COUNCILMEMBERS:  
NOES:           COUNCILMEMBERS:  
ABSENT:        COUNCILMEMBERS:

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YOLIE TRIPPY, Deputy City Clerk