

**BUSINESS FOR THE CITY COUNCIL  
OF THE  
CITY OF ANGLETON**

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**SUBJECT: Discussion and possible action on approval of ORDINANCE NO. 2009-O-4D, AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS APPROVING AN ASSIGNMENT OF THE FRANCHISE AGREEMENT FOR THE COLLECTION, HAULING AND DISPOSAL OF MUNICIPAL SOLID WASTE IN THE CITY OF ANGLETON, TEXAS FROM REPUBLIC WASTE SERVICES OF TEXAS, LTD. TO WASTE CONNECTIONS, INC.; PROVIDING CONDITIONS TO SUCH APPROVAL; AUTHORIZING THE CITY MANAGER TO PROVIDE WRITTEN CONSENT TO THIS ASSIGNMENT; AMENDING THE FRANCHISE TO SUBSTITUTE THE ADDRESS OF WASTE CONNECTIONS FOR THE ADDRESS OF REPUBLIC; PROVIDING CERTAIN CHANGES IN THE RATE, TERM AND OTHER SECTIONS OF THE FRANCHISE; PROVIDING FOR A PERFORMANCE REVIEW; PROVIDING FOR THE ASSIGNEE TO PAY FOR THE PUBLICATION OF THIS ORDINANCE AND FOR BOTH REPUBLIC AND WASTE CONNECTIONS TO ACCEPT THE PROVISIONS OF THIS ORDINANCE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN OPEN MEETINGS CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR PUBLICATION AND PROVIDING FOR OTHER PURPOSES.**

REQUESTED BY: Republic Waste Services of Texas, Ltd.

SUBMITTED BY: Greg Smith

DATE SUBMITTED: 4/22/09                      FOR THE AGENDA OF: 4/28/09

Expenditure Required: Not applicable.

Available Funding: Not applicable.

Attachments: Ordinance and First Amendment to Solid Waste Franchise.

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**SUMMARY STATEMENT:**

At your meeting of April 14, 2009, I reported that my due diligence investigation of Waste Connections, Inc. indicated that Waste Connections was a good solid waste company that was well qualified to provide solid waste services under the Solid Waste Franchise with Republic Waste Services of Texas, Inc. At that meeting, you authorized me to allow Republic to subcontract with Waste

Connections to provide solid waste services pending the final approval of the requested assignment of the Franchise from Republic to Waste Connections. This Ordinance would start the process of your approval of the assignment. The City Charter requires that the Ordinance which incorporates the attached First Amendment to the Franchise be read two times and not become effective until 30 days after the second reading. Since the second or final reading of the Ordinance cannot take place until 30 days from the date of the first reading, we have scheduled the second reading for your regular meeting of June 9, 2009. The assignment is conditioned on freezing the rates for two years at the rates in effect for January of this year, providing free recycling services to solid waste customers and including the other conditions mentioned in the Ordinance.

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**Recommendation: I recommend that you pass the Ordinance on first reading.**