

RESOLUTION NO. 2010-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS REGARDING THE AWARD OF A *COLLECTION SERVICE AGREEMENT EXECUTED BETWEEN CITY OF LOS ALTOS AND MISSION TRAIL WASTE SYSTEMS, INC.*, DATED MARCH 23, 2010

WHEREAS, the California Integrated Waste Management Act of 1989, California Public Resources Code section 40000 *et seq.*, provides cities with broad authority over solid waste matters which are of a local concern, including, but not limited to, frequency of collection, means of collection and transportation, level of services, charges and fees, and nature, location, and extent of providing solid waste handling services; and whether said services are to be provided by an exclusive franchise agreement; and

WHEREAS, the Los Altos Municipal Code Chapter 6.12 provides for garbage collection and disposal services; and

WHEREAS, the City Council finds that regular and prompt collection of garbage and refuse is necessary to protect the health, safety and welfare of the residents of the City of Los Altos ("City"); and

WHEREAS, the City Council further finds that garbage and refuse collection service by an exclusive franchise is necessary to ensure regular and prompt collection garbage and refuse collection; and

WHEREAS, on February 23, 2010, the City Council directed staff to negotiate with Mission Trial Waste Systems an exclusive franchise agreement to provide the garbage and refuse services required by the City; and

WHEREAS, pursuant to the California Environmental Quality Act ("CEQA"), on March 2, 2010, the City prepared a Negative Declaration for the Project, filed a Notice of Intent to adopt a Negative Declaration with the County of Santa Clara, and the public review and comment period ended on March 22, 2010; and

NOW, THEREFORE, BE IT RESOLVED that:

1. The City Council, following the public meeting held on March 23, 2010, considered the proposed Negative Declaration for the Project together with any comments received during the public review process and adopted the Negative Declaration, attached hereto as Exhibit "A," finding that the Negative Declaration was completed in compliance with CEQA, that the Negative Declaration reflects the independent judgment of the City, and that there is no substantial evidence in the entire record that the Project will have a significant effect on the environment.
2. The City Council awards the franchise agreement entitled *Collection Service Agreement Executed between City of Los Altos and Mission Trail Waste Systems, Inc.*, dated March 23, 2010, attached hereto as Exhibit "B" and incorporated herein by this reference.

I HEREBY CERTIFY that the forgoing is a true and correct copy of a Resolution No. 2010-16 passed and adopted by the City Council of the City of Los Altos at a regular meeting thereof held on the 23rd day of March 2010 by the following vote:

AYES: SATTERLEE, CARPENTER, PACKARD, BECKER, CASAS
NOES: NONE
ABSENT: NONE



David C. Casas, MAYOR

ATTEST:


Susan Kitchens, CITY CLERK

Date: March 23, 2010

Exhibit A

City of Los Altos

NEGATIVE DECLARATION SOLID WASTE AND RECYCLING SERVICES CHANGES

The City Council of the City of Los Altos has considered the project identified below and has adopted the following Negative Declaration pursuant to the California Environmental Quality Act:

Proposed Project: Solid Waste and Recycling Services Changes

Location: City of Los Altos, County of Santa Clara

Finding: The proposed project will not have a significant effect on the environment.

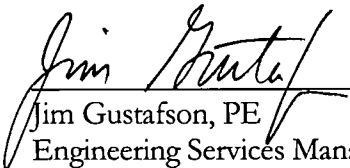
Reasons Supporting the Finding:

- An Initial Study has been prepared that identified no potentially significant impacts.
- The proposed project conforms to the City's General Plan and zoning.
- New public services and utilities are not required.
- The project will not adversely impact fish and wildlife resources or their habitats.

Initial Study Prepared by: Jim Gustafson, Engineering Services Manager, City of Los Altos

I, Jim Gustafson, hereby certify that this Negative Declaration was prepared in accordance with the provisions of the California Environmental Quality Act of 1970, as amended and applicable State and City Guidelines.

By:


Jim Gustafson, PE
Engineering Services Manager

Date: 3/2/10