

RESOLUTION NO.

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AMENDING RESOLUTION NO. 79169 TO AUTHORIZE THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH CWS FOR SINGLE-FAMILY DWELLING RECYCLING COLLECTION AND PROCESSING IN DISTRICTS A AND C AND AN AGREEMENT WITH GREENTeam OF SAN JOSE FOR COLLECTION OF GARBAGE AND COLLECTION AND PROCESSING OF RECYCLABLES FOR MULTI-FAMILY DWELLINGS CITYWIDE, SINGLE-FAMILY DWELLINGS IN DISTRICT B, AND CITY FACILITIES, SUBJECT TO THE APPROPRIATION OF FUNDS**

**WHEREAS**, City of San José's ("City") Environmental Services Department provides recycling, garbage, and large item ("Junk Pickup") services to all households in San José, which is divided into service Districts A, B, and C, through four contracted service providers; and

**WHEREAS**, on June 18, 2019, the City Council adopted Resolution No. 79169 that authorized the City Manager to negotiate and execute agreements through June 30, 2036 with California Waste Solutions ("CWS"), Garden City Sanitation, Inc. ("Garden City"), GreenTeam of San José ("GreenTeam"), and GreenWaste Recovery ("GreenWaste") in accordance with the term sheets presented to City Council; and

**WHEREAS**, CWS satisfied the performance standards set forth in the Second Amendment to the Agreement with CWS and staff began finalizing an agreement with CWS, by amending and restating its current agreement, for single-family recycling services in Districts A and C through June 30, 2036 in accordance with the term sheet submitted to Council; and

**WHEREAS**, the agreements with Garden City and GreenWaste have been finalized and executed; and

**WHEREAS**, the agreements with CWS and GreenTeam are pending approval to include residential Junk Pickup services; and

**WHEREAS**, customer demand for Junk Pickup services has consistently increased over the past five years and CWS and GreenTeam have been reliable and flexible in providing these services; and

**WHEREAS**, staff recommends amending the previously approved term sheets to include residential Junk Pickup services through June 30, 2036 in the CWS and GreenTeam agreements and authorizing the City Manager to negotiate and execute agreements with CWS and GreenTeam in accordance with the amended term sheets;

**NOW, THEREFORE**, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

1. Section 1 of Resolution No. 79169, adopted on June 18, 2019, is hereby amended to read as follows:
  - “1. The City Manager is hereby authorized to negotiate and execute an agreement through June 30, 2036 with CWS, in accordance with the term sheets presented to Council on February 8, 2019, and as amended to include Residential Junk Pickup Service, for single-family dwelling recycling collection and processing in Districts A and C, subject to the appropriation of funds.”
2. Section 3 of Resolution No. 79169, adopted on June 18, 2019, is hereby amended to read as follows:
  - “3. The City Manager is hereby authorized to negotiate and execute an agreement through June 30, 2036 with GreenTeam of San José, in accordance with the term sheets presented to Council on January 15, 2019, and as amended to include Residential Junk Pickup Service, for

collection of garbage and collection and processing of recyclables for multi-family dwellings citywide, single-family dwellings in District B, and City Facilities, subject to the appropriation of funds.”

3. All other actions adopted by the City Council in Resolution No. 79169 remain unchanged by this Resolution and are hereby affirmed.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2021, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

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SAM LICCARDO  
Mayor

ATTEST:

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TONI J. TABER, CMC  
City Clerk