

ORDINANCE NO. 2024-

AN ORDINANCE: (1) AMENDING THE SOLID WASTE AND RECYCLING FRANCHISE AGREEMENT WITH AMERIWASTE TO ADD TWO ADDITIONAL CURBSIDE HOUSEHOLD HAZARDOUS WASTE PICKUPS PER YEAR AND (2) UPDATING THE SOLID WASTE SERVICES FEE SCHEDULE TO REDUCE THE CITY MONTHLY RESIDENTIAL ADMINISTRATIVE FEE BY \$0.08 AND INCREASE THE AMERIWASTE WASTE FEE BY \$0.08 TO ACCOUNT FOR THE ADDITIONAL CURBSIDE HOUSEHOLD HAZARDOUS WASTE PICKUPS PER YEAR

WHEREAS, the Texas Health and Safety Code provides that a municipality has the authority to grant an exclusive franchise to a single hauler to collect and dispose of solid waste within its city limits; and

WHEREAS, on October 25, 2022, the City Council passed Ordinance 2022-35, which granted a solid waste franchise agreement ("Agreement") to AmeriWaste League City, Inc., a subsidiary of AmeriWaste, Inc. ("AmeriWaste"); and

WHEREAS, the City and AmeriWaste wish to amend the Agreement so that AmeriWaste will provide two (2) additional curbside household hazardous waste collection pickups per year and the compensation for this additional service will be increased accordingly in the solid waste fee schedule; and

WHEREAS, the City Council is of the opinion that amending the franchise as set forth in this Ordinance and its Exhibit "A" are in the furtherance of public interest and is necessary and proper for carrying out the power granted by law to the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LEAGUE CITY, TEXAS, as follows:

Section 1. The above-listed recitals are true and correct and hereby incorporated into this Ordinance.

Section 2. The City authorizes an amendment to the Agreement in substantially the same form as Exhibit A, which is attached and incorporated herein, with AmeriWaste for solid waste collection in League City.

Section 3. The City authorizes the updated fee schedule, which is attached as Exhibit B, which reduces the City monthly residential administrative fee by \$0.08 and increases the AmeriWaste waste fee by \$0.08 to account for the additional curbside household hazardous waste pickups per year.

Section 4. The City Manager is authorized to execute any document necessary to complete this transaction.

Section 5. Savings. All rights and remedies which have accrued in favor of the City under this Ordinance and amendments thereto shall be and are preserved for the benefit of the City.

Section 6. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid, unconstitutional or otherwise unenforceable by any court

of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 7. Repealer. All ordinances and parts of ordinances in conflict herewith are hereby repealed but only to the extent of such conflict.

Section 8. Open Meetings. It is hereby found and determined that the meeting at which this Ordinance was passed was open to the public and that advance public notice of the time, place and purpose of said meeting was given as required by law.

Section 9. Publication and Effective Date. The City Secretary shall cause this Ordinance, or its caption, to be published in the official newspaper of the City of League City, upon passage of such Ordinance. This Ordinance shall become effective May 1, 2024.

PASSED first reading the ____ day of _____, 2024.

PASSED AND ADOPTED the ____ day of _____, 2024.

NICK LONG
Mayor

ATTEST:

DIANA M. STAPP
City Secretary

APPROVED AS TO FORM:

MICHELLE L. VILLARREAL
City Attorney