

RESOLUTION NO. **16-03**

A RESOLUTION OF THE TOWN OF ANNETTA ACCEPTING THE INTERLOCAL AGREEMENT FOR THE PROVISION OF WASTE COLLECTION SERVICES WITHIN THE LIMITS OF THE CITY OF ALEDO, PARKER COUNTY, TEXAS.

RECITALS:

1. The Town of Annetta, the Town of Annetta North, the City of Annetta South, the City of Hudson Oaks, and the City of Willow Park, (collectively the “Municipalities), the City of Aledo (“Aledo”), and Republic Waste Services of Texas, LTD (“Republic”) are parties to the Solid Waste Agreement (the “Agreement”). Republic began providing trash and recycling services pursuant to the Agreement on May 1, 2011.
2. On April 10, 2015 each Mayor of the Municipalities and Aledo was contacted about meeting on April 16, 2015 to discuss negotiating a new solid waste contract because fuel prices had declined. Mayor Marshall had a conflicting commitment so the meeting was rescheduled for all Mayors to attend. The general consensus at the meeting was that the Municipalities should work together on a new solid waste contract.
3. Republic was requested to negotiate new contract terms. Republic notified the Municipalities that Aledo had requested and scheduled a council meeting for Republic to attend and that Republic would not begin negotiations for a new solid waste contract until after the meeting with Aledo.
4. The Municipalities and Aledo held a second joint meeting on or about September 4, 2015 and discussed a new regional solid waste contract. Aledo Mayor Marshall questioned the need to negotiate a new solid waste contract at this time.
5. On November 20, 2015, Republic sent to the Municipalities and to Aledo a notice of non-renewal of the Agreement. The letter terminated solid waste services under the Agreement at the end of the fifth contract anniversary date of April 30, 2016.
6. The Municipalities had experienced a similar situation and response of Aledo “holding out” during the negotiations of the Agreement in 2011 and as a result, incurred additional expenses. A date was established for Aledo to decide if they would continue to participate in the potential new solid waste contract with Republic. Aledo did not participate in the new Republic contract.
7. The Municipalities and Republic agreed to a new solid waste contract to begin May 1, 2016.

8. Aledo requested separate solid waste contract bids from Republic and Progressive. Aledo scheduled a meeting for both Republic and Progressive to make a presentation with pricing at its city council meeting on January 28, 2016.
9. The Municipalities were informed that Aledo had scheduled and participated in separate meetings with Republic. Republic did not attend any of the Municipalities city council meetings regarding the new solid waste contract. The Municipalities did not conduct independent negotiations with Republic or other solid waste providers.
10. At the January 28, 2016 Aledo city council meeting, once councilwoman expressed a desire not to be tied to the Municipalities in a new solid waste contract. Another councilwoman questioned the reason Aledo could not obtain the same rate as the Municipalities, if Aledo contracted for solid waste services by itself. The other city council members and the Mayor did not discuss a position during the open meeting about their preference in contracting with Progressive or Republic.
11. At the January 28, 2016 Aledo city council meeting, the Community News representative questioned the legality or appropriateness of the city council having certain discussions about the solid waste matter in executive session.
12. A motion was made by an Aledo councilwoman to negotiate a contract with Progressive. The motion failed for lack of a second. Another motion was made, seconded and approved to work with Republic for solid waste services.
13. The Municipalities and Republic agreed to add a provision to the Municipalities contract for Aledo to obtain the quoted once per week trash and recycling rate through an interlocal agreement.
14. An interlocal agreement was prepared by Betsy Elam and approved by Aledo.
15. The interlocal agreement was forwarded to the Municipalities for review. Comments and revisions to the interlocal agreement were submitted to the TOASE law firm. The requested revisions to the interlocal agreement were not made based on the TOASE attorney advice to the Municipalities.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN OF ANNETTA, TEXAS, THAT:

In accordance with the residential need for solid waste services and good sanitation practices, the Town of Annetta council accepts the interlocal agreement for solid waste services within the current limits of Aledo and authorizes the Mayor to take such action as may be reasonable necessary for the residents within the current limits of Aledo to have solid waste services upon the April 30, 2016 termination date of the Agreement.

PASSED AND ADOPTED by the Town of Annetta, Texas, on the 21st day of April, 2016.

TOWN OF ANNETTA

By: 
Bruce Pinckard, Mayor

ATTEST:


Alyson Wolf, Town Secretary

