

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS, RENEWING THE SERVICE AGREEMENT BETWEEN THE CITY OF MONTGOMERY AND WASTE MANAGEMENT OF TEXAS, INC. FOR CITY-WIDE TRASH AND RECYCLING SERVICES; PROVIDING A REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Montgomery (“CITY”) wishes to renew the service agreement between the City and Waste Management of Texas, Inc. (“CONTRACTOR”); and

WHEREAS, the City and the Contractor entered into their original agreement on March 24, 2015, and executed the first and second amendment thereto on or about July 10, 2018 and September 17, 2021 respectively; and

WHEREAS, the City staff and Contractor have negotiated a new contract.

NOW, THEREFORE, LET IT BE RESOLVED by the City Council of the City of Montgomery, Texas, that:

SECTION 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

SECTION 2. Contract Approved. The City Council hereby approves and accepts the terms and conditions of the agreement with Waste Connections whose form is attached hereto and incorporated herein as Exhibit A. The City Administrator is hereby authorized to execute said agreement.

SECTION 3. Repealer. All resolutions and parts thereof in conflict herewith are hereby expressly repealed insofar as they conflict herewith.

SECTION 4. Severability. It is hereby declared that the sections, paragraphs, sentences, clauses, and phrases of this resolution are severable and, if any phrase, clause, sentence, paragraph, or section of this resolution shall be declared unconstitutional or invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and section of this resolution, because the same would have been enacted by the City Council without the incorporation of any such unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 5. Effective Date. This resolution shall become effective immediately from and after its passage in accordance with the provisions of the Texas Local Government Code.

PASSED AND APPROVED this the 23rd day of July, 2024.

Sara Countryman, Mayor

ATTEST:

APPROVED AS TO FORM:

James Greene, City Secretary

Alan Petrov, City Attorney