



RESOLUTION NO. 2024-05

A RESOLUTION DELEGATING AUTHORITY TO THE CITY MANAGER TO APPROVE SOLID WASTE FRANCHISE RATE ADJUSTMENTS SUBJECT TO THE TERMS OF THE FRANCHISE AGREEMENT

WHEREAS, the City of Sandy awarded an exclusive franchise to Hoodview Disposal & Recycling (the Franchisee) for solid waste collection, container service, and certain other services; and

WHEREAS, in accordance with Sections 7.3 and 7.4 of the Franchise Agreement between the City and the Franchisee dated July 1, 2014 (the Franchise Agreement), the Franchisee is entitled to an annual adjustment of rates, subject to the terms of the Franchise Agreement; and

WHEREAS, Section 7.3 of the Franchise Agreement states that rates shall be adjusted annually, with City Council approval; and

WHEREAS, Section 13.12 of the Franchise Agreement states that “The City Council may delegate, in writing, authority to the City Manager, and/or to other City employees and may permit such employees, in turn, to delegate in writing some or all of such authority to subordinate employees”; and

WHEREAS, it appears to the City Council that the review of annual rate adjustments under Sections 7.3 and 7.4 of the Franchise Agreement are routine in nature and therefore appropriate for delegation to the City Manager.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SANDY:

Section 1: The City Council hereby delegates authority to the City Manager to review and approve annual rate adjustments under Sections 7.3 and 7.4 of the Franchise Agreement, subject to the terms of the Franchise Agreement.

Section 2: The City Manager may not further delegate such authority to subordinate employees.

Section 3: Nothing in this Resolution shall prevent the City Manager from bringing the review and approval of annual rate adjustments under Section 7.3 and 7.4 of the Franchise Agreement before City Council if the City Manager determines such action to be appropriate.

Section 4: This Resolution shall be effective immediately upon adoption and shall remain in effect until repealed or amended by the City Council.

This resolution is adopted by the City Council of the City of Sandy this 20th day of February, 2024.

Stan Pulliam, Mayor

ATTEST:

Jeffrey Aprati, City Recorder