

RESOLUTION NO. 1635

A RESOLUTION OF THE CITY COUNCIL OF CITY OF SNOQUALMIE, WASHINGTON EXERCISING THE OPTION FOR A THIRD, TWO-YEAR EXTENSION OF THE COMPREHENSIVE GARBAGE, RECYCLABLES AND COMPOSTABLES COLLECTION AGREEMENT, AUTHORIZING ISSUANCE OF NOTICE TO WASTE MANAGEMENT OF SAME, AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City of Snoqualmie and Waste Management of Washington, Inc. (“WM”) are parties to that certain Comprehensive Garbage, Recyclables and Compostables Collection Agreement (the “Agreement”), under which WM commenced providing services on June 1, 2012;

WHEREAS, on or about May 16, 2012, the Parties executed a First Amendment to the Agreement; and

WHEREAS, on or about September 10, 2012, the Parties executed a Second Amendment to the Agreement; and

WHEREAS, on or about June 10, 2019, the Parties executed a Third Amendment to the Agreement; and

WHEREAS, Section 1 of the Agreement provides that the Agreement’s term is seven years, starting June 1, 2012, and expiring May 31, 2019; and

WHEREAS, Section 1 further provides that the City may, at its sole option, extend the agreement for up to three (3) extensions, each of which shall not exceed two (2) years in duration; and

WHEREAS, to exercise its option to extend the Agreement, Section 1 also provides that notice shall be given by the City to WM no less than ninety (90) days prior to the expiration of the Agreement’s term or the expiration of a previous extension; and

WHEREAS, by letter dated February 22, 2019, the City provided notice, pursuant to Section 1 of the Agreement, of its exercise of the option for an extension of the Agreement for each of the three 2-year periods; and

WHEREAS, on August 26, 2019, the City Council confirmed and ratified the City's first 2-year extension of the Agreement, which expired on May 31, 2021, and

WHEREAS, on April 12, 2021, the City Council confirmed and ratified the City's second 2-year extension of the Agreement, set to expire on May 31, 2023, and

WHEREAS, the City Council desires to ratify the third 2-year extension provided in Section 1 of the Agreement;

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF SNOQUALMIE AS FOLLOWS:

Section 1. Exercise of Two-Year Extension of Agreement. The City of Snoqualmie hereby exercises its option for a third, two-year extension of the Comprehensive Garbage, Recyclables and Compostables Collection Agreement between the City of Snoqualmie and Waste Management of Washington, Inc. ("the Agreement"). The two-year extension will expire on May 31, 2025. The Mayor or her designee is authorized to issue written notice to Waste Management of Washington, Inc. of the exercise of the third, two-year extension option provided for herein.

Section 2. Severability. If any one or more section, subsection, or sentence of this resolution is held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this resolution and the same shall remain in full force and effect.

Section 3. Effective Date. This Resolution shall be effective immediately upon its adoption.

PASSED by the City Council of the City of Snoqualmie, Washington, this 27th day of February 2023.

Katherine Ross, Mayor

Attest:

Deana Dean, City Clerk

Approved as to form:

Bob C. Sterbank, City Attorney