

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CHULA VISTA APPROVING THE AMENDED AND
RESTATED OTAY LANDFILL EXPANSION AGREEMENT
BETWEEN THE CITY AND OTAY LANDFILL, INC., AND
AFFILIATES THEREOF AND AUTHORIZING THE MAYOR
TO EXECUTE SAME

WHEREAS, in 1999, the City entered into the Otay Landfill Expansion Project Agreement with Otay Landfill, Inc., a wholly owned subsidiary of Allied Waste North America, Inc., a Delaware corporation (“Allied”), and Allied Waste Systems, Inc., dba Republic Services of Chula Vista (“Republic”), collectively referred to as the “Otay Affiliates”, dealing with among other things potential impacts of the Otay Landfill Expansion Project on the City of Chula Vista and the City’s use of the Otay Landfill as a disposal site; and

WHEREAS, the City and Otay now wish to amend and restate the Original Agreement to reflect the passage of time and amend some of the terms and conditions of the Original Agreement; and

WHEREAS, this Agreement shall supersede all prior agreements and understandings between Otay Affiliates and the City regarding the Otay Landfill, except for the Collection Franchise Agreement entered into by City and Republic; and

WHEREAS, City staff and Otay have negotiated the attached Amended and Restated Otay Landfill Agreement and present such to the City Council for its approval.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista, that it approves the Amended and Restated Otay Landfill Expansion Agreement between the City and Otay Landfill Inc., and the Otay Affiliates, in the form presented, with such minor modifications as may be required or approved by the City Attorney, a copy of which shall be kept on file in the Office of the City Clerk, and authorizes and directs the Mayor to execute same.

Presented by

Approved as to form by

Richard Hopkins
Director of Public Works

Glen R. Googins
City Attorney