

RESOLUTION NO. 2025-XXX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDED AND RESTATED FRANCHISE AGREEMENT FOR RECYCLING COLLECTION AND PROCESSING SERVICES WITH TRI-CITY ECONOMIC DEVELOPMENT CORPORATION (TRI-CED) FOR AN ADDITIONAL TEN-YEAR TERM COMMENCING JULY 1, 2025, THROUGH JUNE 30, 2035

WHEREAS, the City executed a Franchise Agreement (“Agreement”) for Recycling Collection and Processing Services with Tri-City Economic Development Corporation (Tri-CED) to provide recycling collection and processing services (the “Services”) dated October 27, 2015; and

WHEREAS, the term of the Agreement with Tri-CED expires on June 30, 2025; and

WHEREAS, under the terms of the Agreement, Tri-CED and the City may explore extending the Agreements based on mutually agreed terms and conditions, including the duration of an Agreement extension; and

WHEREAS, the City and Tri-CED have agreed to the terms, conditions, and costs to provide the Services for an additional ten (10) years that will commence on July 1, 2025 through June 30, 2035 (the “New Agreement”); and

WHEREAS, the City and Tri-CED have concluded good faith negotiations and completed their respective review of the draft Amended and Restated Franchise Agreement, attached hereto and incorporated herein by reference as **Exhibit A**, and have committed to executing the Amended and Restated Franchise Agreement timely with the City in order to ensure no interruption in the service delivery and all other terms and conditions prescribed in said New Agreement commencing in FY 2025-2026.

NOW, THEREFORE, BE IT RESOLVED that the recitals above are hereby incorporated herein by reference; and

BE IT FURTHER RESOLVED that the City Council of the City of Union City hereby approves and authorizes the City Manager to execute the Amended and Restated Franchise Agreement for Recycling Collection and Processing Services with Tri-CED for an additional ten-year term commencing July 1, 2025, through June 30, 2035, in a form approved by the City Attorney; and

BE IT FURTHER RESOLVED that, in accordance with the Amended and Restated Franchise Agreement for Recycling Collection and Processing Services with Tri-CED, the fees and rates charged by Tri-CED for recycling collection and processing services shall not exceed that established in Exhibit P of said Agreement, attached hereto and incorporated herein by reference, which is made a part hereof as though set forth at length; and

BE IT FURTHER RESOLVED that the City Manager is authorized to take all actions necessary and execute all documents necessary, in a form approved by the City Attorney, to effectuate the intent of this Resolution.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Union City at a regular meeting held on the 27th day of May 2025 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

GARY SINGH
Mayor

ATTESTED:

APPROVED AS TO FORM:

THAI NAM N. PHAM
City Clerk

KRISTOPHER J. KOKOTAYLO
City Attorney

Attachment:

1. Exhibit A – Amended and Restated Franchise Agreement