

RESOLUTION NO. 4555

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF KELLER, TEXAS, APPROVING AMENDMENTS TO CONTRACT NO. 20-40 WITH COMMUNITY WASTE DISPOSAL (CWD), OF DALLAS, TEXAS; BY AMENDING ARTICLE 1, TERM; TO EXTEND THE CONTRACT TERM TO AN ADDITIONAL TWELVE MONTHS THROUGH AUGUST 30, 2026 AND ARTICLE 22, REMUNERATION; TO ALLOW THE CHANGE TO THE ANNUAL ADJUSTMENT TO EXCEED THE 5% UP OR DOWN CAP ON THE OVERALL CUSTOMER RATE; FOR CITYWIDE GARBAGE RATES FOR THE PERIOD SEPTEMBER 1, 2022 - AUGUST 31, 2023; AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AMENDMENTS ON BEHALF OF THE CITY OF KELLER, TEXAS.

WHEREAS, the City Council of the City of Keller, Texas approved a contract for Citywide Solid Waste Collection and Recycling Services, with Community Waste Disposal (CWD) of Dallas, Texas on June 16, 2020 by Resolution No. 4262; and

WHEREAS, CWD requested a rate increase of 8% on the Request for Market Adjustment letter dated August 19, 2022; and

WHEREAS, CWD has requested to amend Article 1, Term of said contract, by extending the contract term an additional twelve months through August 30, 2026; and Article 22, Remuneration, to allow the annual adjustment to increase to 8%, which exceeds the 5% up or down cap for citywide garbage rates, for the period September 1, 2022 to August 31, 2023, in accordance with the terms and conditions set forth in the 2022 City of Keller Rate Schedule, attached hereto as Exhibit "A".

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

Section 1: THAT the above findings are hereby found to be true and correct and are incorporated herein in their entirety.

Section 2: THAT, the City Council of the City of Keller, Texas, hereby approves amending Contract No. 20-40 with CWD of Dallas, Texas; by amending Article 1, Term, extending the contract term an additional twelve months through August 30, 2026; and Article 22, Remuneration, allowing the annual adjustment to increase to 8% for the period September 1, 2022 to August 31, 2023; and further authorizes the City Manager to execute said amendments on behalf of the City of Keller, Texas.

Section 3: THAT this resolution shall become and be effective on and after its passage and approval.

AND IT IS SO RESOLVED.

Passed by a vote of 5 to 1 on this the 6th day of September, 2022.

CITY OF KELLER, TEXAS

BY: _____
Armin R. Mizani, Mayor

Attest:

Kelly Ballard, City Secretary

Approved as to Form and Legality:

L. Stanton Lowry, City Attorney