

AN ORDINANCE      **2012-09-20-0754**

**AUTHORIZING AN AMENDMENT TO EXTEND THE CONTRACT TERM WITH NEW EARTH, INC. FOR ONE YEAR TO PROCESS THE ORGANIC MATERIALS COLLECTED IN THE SOLID WASTE MANAGEMENT DEPARTMENT'S RESIDENTIAL CURBSIDE ORGANICS RECYCLING PILOT PROGRAM.**

\* \* \* \* \*

**WHEREAS**, City Council approved the implementation of a pilot phase of the Organics Recycling Program that began in FY 2012; Ordinance 2011-08-18-0688 authorized a contract with New Earth, Inc. to process organic material collected by the program from approximately 30,000 customers in various neighborhoods across the City and the contract term is nearing completion; and

**WHEREAS**, as it is necessary to continue this pilot until a policy decision is made regarding the future of the organics recycling program, this ordinance authorizes an amendment to extend the contract term with New Earth, Inc. for one year to process the organic materials collected in the residential curbside organic material recovery program, at a rate of \$19.50 per ton with a contract amount not to exceed \$105,627.93; and

**WHEREAS**, this Ordinance authorizes an amendment to extend the term of the organics processing contract for one year with New Earth, Inc., with an effective date of August 1, 2012, with funding for the contract from the Solid Waste Operation and Maintenance Fund to be paid monthly, based upon the quantity of organic material disposed at the facility; **NOW THEREFORE**,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The City Manager, or her designee, or the Director, Solid Waste Management Department, or his designee, is hereby authorized to take all actions necessary to negotiate and execute an amendment to provide a one year extension of the contract for organics processing with New Earth, Inc. at a rate of \$19.50 per ton, in a contract amount not to exceed \$105,627.93, and with an effective date of August 1, 2012. All other terms and conditions in the contract shall remain identical to those of the original.

**SECTION 2.** Funding for this ordinance is contingent upon approval of the Fiscal Year 2013 Budget for Fund 55001000, Cost Center 5501010001 and General Ledger 5201041.

**SECTION 3.** If approved by council, payment not to exceed the budgeted amount is authorized to New Earth, Inc. and should be encumbered with a purchase order.

**SECTION 4.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Cost Centers,

WBS Elements, Internal Orders, General Ledger Accounts, and Fund Numbers as necessary to carry out the purpose of this Ordinance.

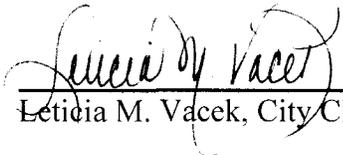
**SECTION 5.** This ordinance shall be effective immediately upon passage by eight or more affirmative votes; otherwise, it shall be effective on the tenth day after passage.

**PASSED and APPROVED** this 20th day of September, 2012.



M A Y O R  
Julián Castro

**ATTEST:**



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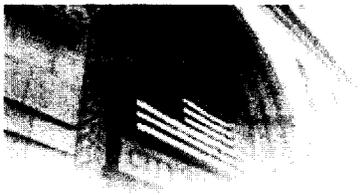
Leticia M. Vacek, City Clerk

**APPROVED AS TO FORM:**



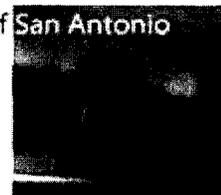
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*for* Michael D. Bernard, City Attorney



Request for  
**COUNCIL**  
 ACTION

City of San Antonio



### Agenda Voting Results - 44

<b>Name:</b>	8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 20, 21, 22B, 23, 24, 25, 26, 27, 28A, 28B, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45						
<b>Date:</b>	09/20/2012						
<b>Time:</b>	10:55:21 AM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	An Ordinance authorizing an amendment to extend the contract term with New Earth, Inc. for one year with a cancelation option, to process the organic materials collected in the Solid Waste Management Department's residential curbside organics recycling pilot program. [Peter Zanoni, Assistant City Manager; David W. McCary, Director, Solid Waste Management]						
<b>Result:</b>	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor		x				
Diego Bernal	District 1		x				x
Ivy R. Taylor	District 2		x				
Leticia Ozuna	District 3		x				
Rey Saldaña	District 4		x				
David Medina Jr.	District 5		x				
Ray Lopez	District 6		x			x	
Cris Medina	District 7		x				
W. Reed Williams	District 8		x				
Elisa Chan	District 9		x				
Carlton Soules	District 10	x					