

By Colvin Roy

**Adopting a Resolution of Intent to organize collection < (in MRI's portion of the City of Minneapolis) > and invite the participation of interested persons, including persons licensed to operate solid waste collection services, in planning and establishing the organized collection system.**

**<RESOLUTION>**

Whereas, the City of Minneapolis is interested in evaluating whether ~~<the collection>~~ <its system> of residential solid ~~<wastes>~~ <waste collection> might be done more efficiently or cost effectively and, to that end, issued a Request for Proposals (RFP) in March, 2006; and

Whereas, the Hennepin County District Court issued an order on September 15, 2006, enjoining the City from proceeding with the RFP on the grounds that the RFP is subject to the procedural requirements of Minn. Stat. Section 115A.94, which order the City Council will comply with; and

Whereas, if the City ~~<of Minneapolis>~~ chooses to ~~<issue an RFP or otherwise>~~ <organize collection or> change ~~<the method>~~ <its system> for residential ~~<municipal>~~ solid waste collection, ~~<it is required, pursuant to>~~ <then by> the ~~<court>~~ <Court>'s order and Minn. Stat. Section 115A.94 ~~<to prepare a resolution of>~~ <it is required to give public notification as provided in Minn. Stat. Section 115A.94, subd. 4; and>

<Whereas, pursuant to Minn. Stat. Section 115A.94, subd. 4, at least 180 days before implementing a means of organizing collection, the City, by resolution of the City Council, shall announce its> intent to organize collection and invite the participation of interested persons, including persons licensed to operate solid waste collection services, in planning and establishing the organized collection system; and

Whereas, the ~~<City of Minneapolis on November 9, 2006 and>~~ <resolution of intent must be adopted after a public hearing, and the hearing must be> < held at least two weeks after public notice> < and mailed notice to persons known by the City to be operating solid waste collection services in the City; and>

< Whereas, on> November 21, 2006, <the City > held <a > public ~~<hearings>~~ <hearing> regarding the adoption of ~~<the>~~ <a> resolution of intent to organize collection pursuant to Minn. Stat. Section 115A.94, ~~<Subd. 4.>~~ <subd. 4., after giving public notice and mailed notice to persons known by the City to be operating solid waste collection services in the City>; and

Whereas, ~~<the hearing was>~~ <held at least two weeks after public notice>, ~~<and mailed notice to persons known by the city to be operating solid~~

~~waste collection services in the city; and~~<—Whereas,>during a 90-day period following the <Resolution><resolution> of <Intent><intent>, the City<of Minneapolis> shall develop plans or proposals for organized collection<; and><Whereas, during><. During> this 90-day planning period, the City<-><of Minneapolis> shall invite and employ the assistance of persons licensed< as of the date of the resolution of intent> to operate solid waste collection services in the <city as of the date of this Resolution of Intent><City; and>

< Whereas, for 90 days after the date ending the first 90-day planning period, the City>< ><shall discuss possible organized collection arrangements with all licensed residential collectors operating in MRI's portion of the City who have expressed interest>; and

Whereas, if the City <of Minneapolis->is unable to agree on an organized collection arrangement with a majority of the licensed collectors who have expressed interest, or upon expiration of the 90 days, the City <of Minneapolis->may propose implementation of an alternate method of organizing collection as authorized in Minn. Stat. Section 115A.94, <Subd><subd>. 3; and

Whereas, the City <of Minneapolis->shall <make specific findings that: (1) describe in detail the procedures it used to plan and to attempt implementation of organized collection through an arrangement with collectors who expressed interest; and (2) >evaluate the proposed organized collection method in light of at least the following standards:<- achievement of>< achieving> the stated organized collection goals of <improved cost-effectiveness, enhanced customer service, greater protection of public security, health and safety; minimization of><the City; minimizing> displacement of <existing City>collectors;<->< ensuring> participation of all interested parties in the decision-making process; and <maximization of><maximizing> efficiency in solid waste collection; and<->

Whereas, upon request, the City <of Minneapolis->shall provide mailed notice of all proceedings on the organization of collection in the City; and

Whereas, if the City <of Minneapolis->and all the persons licensed to operate mixed municipal solid waste collection services and doing business in the <city or town><City> agree on the plan, the City may implement the plan without regard to the 180-day period specified in Minn. Stat. Section 115A.94, <paragraph><subd. 4>(a)<;><.>

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the Minneapolis City Council hereby adopts the Resolution of Intent to organize collection and invite the participation of interested persons, including persons licensed to operate solid waste collection services, in planning and

establishing the <residential>organized collection system<-><pursuant to Minn.  
Stat. Section 115A.94.>