

CITY OF KETCHUM
RESOLUTION NO. 21-008

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KETCHUM APPROVING A SECOND SHORT TERM EXTENSION OF SOLID WASTE COLLECTION AND DISPOSAL SERVICES WITH OBRAS, LLC, DBA CLEAR CREEK DISPOSAL, AUTHORIZING SIGNATURE BY THE MAYOR, AND DIRECTING FOR ADMINISTRATIVE AND LEGAL ACTION AS REASONABLY NECESSARY.

Section 1. Findings

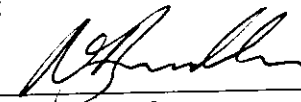
- 1.1 The City of Ketchum (City) and Obras, LLC, dba as Clear Creek Disposal (Clear Creek) are parties to a *Waste Collection Services Agreement*, an agreement for solid waste collection and disposal services, dated May 2, 2011 (Agreement).
- 1.2 The Agreement was authorized pursuant to Ordinance No. 1086 granting a non-exclusive franchise to Clear Creek; and has a term of ten years that expires at midnight on May 1, 2021.
- 1.3 The Parties entered into a First Extension, extending the term of the Agreement through August 1, 2021, to provide further time for ongoing negotiations.
- 1.4 The Parties are still in negotiations for a new Franchise Agreement, but such negotiations are not anticipated to be complete before the end of extended term of the Agreement.
- 1.5 To avoid any interruption in service, the City desires to enter into this Second Extension of the current solid waste collection and disposal services by Clear Creek; and Clear Creek is agreeable to such extension.
- 1.6 The City has authority to enter into such a contract for provision of solid waste collection and disposal services pursuant to Idaho Code § 50-344.
- 1.7 The City provides for authorization and regulation of solid waste collection and disposal under Chapter 4 of Title 8 of the Ketchum Municipal Code.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Ketchum that:

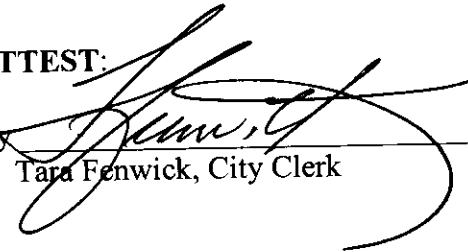
- 2.1. A two-month extension of services is authorized and approved as documented in the *Second Extension Agreement*, attached to this Resolution.
- 2.2. The Mayor is authorized to enter into and execute the *Second Extension Agreement*.
- 2.3. The Mayor is authorized and the City Administrator and City Attorney are directed to take such further administrative and legal tasks reasonably necessary to effectuate such extension of services.

PASSED BY THE CITY COUNCIL of the City of Ketchum, effective this 19th day of July, 2021.

APPROVED:

Signed: 
Neil Bradshaw, Mayor

ATTEST:

By 
Tara Fenwick, City Clerk

**SECOND EXTENSION AGREEMENT
TO PERFORM SOLID WASTE COLLECTION AND DISPOSAL SERVICES**

PARTIES:

City of Ketchum	CITY	PO Box 2315 Ketchum, ID 83340
Obras, LLC dba Clear Creek Disposal	CLEAR CREEK or FRANCHISEE	PO Box 130 Ketchum, ID 83340

THIS SECOND EXTENSION AGREEMENT ("2nd Extension"), is made and entered between City of Ketchum, a municipal corporation of the State of Idaho ("City"), and Obras, LLC dba Clear Creek Disposal, an Idaho limited liability company ("Clear Creek" or "Franchisee"), for the purpose of extending the existing solid waste collection and disposal services within the City of Ketchum.

1. The City of Ketchum (City) and Obras, LLC, dba as Clear Creek Disposal (Clear Creek) are parties to a *Waste Collection Services Agreement*, an agreement for solid waste collection and disposal services, dated May 2, 2011 (Agreement).
2. The Agreement has a term ending at midnight on May 1, 2021, with an extension ending at midnight on August 1, 2021, and the parties desire to enter into a second short-term extension of the services and terms of that Agreement while a new long-term Franchise Agreement is negotiated and prepared.
3. The Parties hereby agree to extend the services provided for under the Agreement, under the same and existing terms and conditions, for a further period of two months until midnight on October 1, 2021.
4. Effective Date. This Extension shall be effective to August 2, 2021 to take immediate effect upon the expiration of the existing Agreement term and first extension.

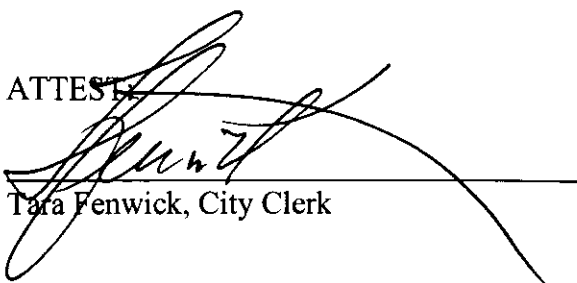
DATED this 19th day of July, 2021.

City of Ketchum




Neil Bradshaw, Mayor

ATTEST:



Tara Fenwick, City Clerk

Obras, LLC dba Clear Creek Disposal



Mike Goitiandia, Managing Member

